
Site Address:	Land rear of 109 London Road, Cowplain, Waterlooville, PO8 8XJ		
Proposal:	Construction of 4No. 3 bed houses including associated access, car parking and landscaping.		
Application No:	APP/14/00439	Expiry Date:	19/06/2014
Applicant:	Mr Chapman	Team:	Team 2
Agent:	Mr Bennett	Case Officer:	Daphney Haywood
	Kalotec Limited		
Ward:	Cowplain		

Recommendation: **GRANT PERMISSION**

1 Site Description

The application site is located on the western side of London Road, to the north of the Cowplain District centre and approximately 50m north of the junction with Latchmore Forest Grove. This part of London Road is primarily residential in character comprising single and two storey dwellings, with some limited commercial development fronting London Road.

The site lies to the rear of 109 London Road a two a storey property with retail on the ground floor frontage and residential to the rear and at first floor. To the south are detached mainly single storey dwellings in Latchmore Forest Grove, to the north is 2 storey housing served by Brewster Close. To the north east the land is currently being developed to provide 2 bungalows which were granted on appeal, beyond this between Brewster Close and the application site is an area of vacant land.

There are trees on and immediately adjoining the site including those covered by TPO. The site is currently undeveloped and over grown.

2 Planning History

111 London Road, Complain, Waterlooville

APP/12/01302

Erection of 2No. 1 bed bungalows utilising existing access from London Road, and underground pumping station. Refused on 11/03/13 for the following reasons:

1. The proposed development by virtue of its layout, form, lack of private amenity space and the size of the plots, results in a cramped and contrived form of development which is at odds with the established development pattern of the locality contrary to the Havant Borough Council Borough Design Guide Supplementary Planning Document, December 2011, Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and National Planning Policy Framework, March 2012.

2. The plot layouts of the proposed dwellings would result in unacceptable amenity space and living conditions due to noise, activity and disturbance to the future occupants and is therefore contrary to Havant Borough Council Borough Design Guide Supplementary Planning Document, December 2011, Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and National Planning Policy

Framework, March 2012.

3. The proposal, without completion of the appropriate binding arrangements to secure a contribution towards the Hampshire County Council Transport Policy, is contrary to the Council's Policy on contributions towards transport infrastructure which seeks to ensure that the provision is made from new development towards improvements to the transport infrastructure. It is therefore contrary to policies CS21 and DM12 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

Allowed on appeal

APP/10/00594

Demolition of existing house. Erection of 4No. new dwellings. Permitted 31/01/11.

08/73191/000

Demolition of existing structures and construction of 6 three bedroom dwellings and 5 two bedroom flats with associated parking, landscaping and bin and cycle storage. Refused 16/12/2008.

3 Proposal

Construction of 4No. 3 bed houses including associated access, car parking and landscaping. The proposed dwellings would be accessed by the private drive that leads from London Road along the side the bungalows allowed on appeal at the rear of 111 London road.

The plans have been amended to:-

- reduce the width of all four units by 0.35m to enable them to be moved 1.35m further away from the TPOed trees.
- Plots 3 and 4 have now been pushed forwards to allow for a minimum garden length of 9m,
- the roof pitches on each unit have been reduced to 30° bringing the ridge line down.
- a section plan showing the relationship between the proposed 2 storey units and those in Latchmore Forest Grove
- A tracking plan has now been provided in respect to turning space for an emergency vehicle
- A bin collection point has been provided
- A revised tree protection plan provided.
- The access road will be 4.1m wide and whilst not to be adopted and privately owned under a management arrangement, the access road and turning head will be constructed to meet the requirements set out within the Building Regulations for fire pump access – road base load bearing of 12.5 tonnes as per Approved Document B5 Section 11: Vehicle Access.

4 Policy Considerations

National Policies

National Planning Policy Framework

Core Strategies 2011 forming part of the HBLDF

CS11 (Protecting and Enhancing the Special Environment and Heritage of Havant Borough)

CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS21	(Developer Requirements)
CS9	(Housing)
DM10	(Pollution)
DM12	(Mitigating the Impacts of Travel)
DM13	(Car and Cycle Parking on Residential Development)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Supplementary Planning Documents (SPD) forming part of HBLDF
Residential Parking and Cycle Provision (2010)
Borough Design Guide (2011)

Local Plan (Allocations) 2014

AL1 Presumption in Favour of Sustainable Development
CS24 Solent Disturbance Mitigation Project

Listed Building Grade: Not applicable.
Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist

No assessment of incursion into RPA to T2 and T3. The proposed reduction of the RPA needs further supporting evidence. T2 dwelling 0.5m within RPA parking 2.5m within RPA T3 Dwelling 0.5m within RPA parking 2.5m within RPA T2 and T3 are considered to be B Category and of veteran state and veteran trees do not qualify for a RPA reduction within BS5637 (2012)

Amended plans

Adequately address the issues.

Building Control, (Fire Access Consultation) consultation with Haunts Fire and with waste services recommended.

Development Engineer

Five units is the traditional standard number that we would allow without a road junction but six is just acceptable. The developer should be informed that any further development would require a standard highway junction onto London road s. The internal layout is incredible tight but if building control are happy with the fire access and the refuse are happy with collection of rubbish and recyclables then on balance I do not believe this layout could be refused

Waste Services Manager A collection point should be allocated near the junction of the London Road for the waste to be presented.

Crime Prevention -Minor Apps To provide for the safety and security of residents and visitors an appropriate level of lighting should be provided along the access route.

Public Spaces Development Manager No adverse comments

Hampshire Fire & Rescue Additional comments appear to address the issues.

Engineering/Drainage conditions re foul and surface water drainage required.

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for

Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 22

Number of site notices: one

Statutory advertisement: Not applicable.

Number of representations received: 4

Summary:

- The scheme is piecemeal and inadequately identifies or considers the full landholding. The full extent of land owners interest should be identified.
- Does not suitably address existing storm and foul water flooding problems. The simple imposition of a condition is inappropriate. The area is prone to surface water run-off and is regularly flooded in wet weather and almost permanently wet in dry weather. Concerned about extra run off and whether the drain into Brewster Close can cope The wellbeing of protected trees might be at risk should there be a change in drainage patterns.
- Fails to meet the requirements of NPPF para 58 as regards its design.
- Its density is excessive, out of accord with Policy CS9 and incongruent with neighbouring properties.
- it ignores the provisions of Policy DM8 –protecting natural features, providing new landscape works and retention of suitable green spaces. .
- Provides inadequate on site parking with only 2 spaces per dwelling and no capacity for visitor parking leading to over spill parking in Latchmore Forest Grove, and associated traffic congestion and parking issues.
- Inadequate access resulting in potential for obstruction to access for Service and Emergency Vehicles.
- Additional traffic using the access will make it more difficult to exist from Latchmore Forest Grove
- Overlooking of properties in Brewster Close and Latchmore Forest Drive

Comment: see section 7

7 Planning Considerations

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- i. Principle of development
- ii. Effect on the character of the area
- iii. Effect on Residential Amenity
- iv. Adequacy of parking and access
- v. Effect on surrounding trees
- vi. Ecological issues
- v. CIL

i. Principle of development

7.2 The site is located within a defined urban area where the development plan states that further development is acceptable provided it respects the environmental quality of the area.

ii. Effect on the character of the area

- 7.3 The site lies to the rear of development fronting London Road in a backland location. The Council adopted the Havant Borough Council Borough Design Guide Supplementary Planning Document in December 2011. The aim of the document (SPD) is to provide detailed information that supplements Policy CS16 of the Havant Borough Core Strategy, to raise the standard of design across the Borough and set out what the Council expects developers to deliver in terms of the design of new developments and how the distinctive character and qualities of the Borough should be respectfully improved and enhanced through development. The Design Guide SPD clearly states that new developments should follow the common building line i.e. that defined by immediate neighbours and ensure there is an appropriate degree of enclosure that makes streets feel welcoming.
- 7.4 The surrounding area is of mixed character and layout including back land development and given this variety of form and layout and in particular the newly constructed bungalows allowed on appeal, the proposed development is considered to respect the character of the area and not to result in an adverse impact.
- 7.5 The submitted plan indicates the driveway extending to the rear with potential for further development at a later date. The preferred approach is for a comprehensive development incorporating all areas with potential for development. The agent advises that the land falls under different ownership and does not form part of the present proposal. The proposed development has to be considered on its merits and refusal on the basis of piecemeal development cannot be substantiated.

iii Effect on Residential Amenity

- 7.6 Backland development has a role to play in delivering the council's housing and development targets. However, such sites usually have a close relationship with surrounding properties and as such have the potential to have significant impacts. Policy CS16 of the Core Strategy refers to High Quality Design and amongst other things requires that:
- e) The development does not cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking".
- 7.7 The main impact relates to properties in Latchmore Forest Grove which lie to the south, and the new bungalows. The proposal provides for a minimum separation with properties in Latchmore Forest Gardens of 20 m in accordance with the Council's design guidance, and whilst rear gardens depths at 9m fall slightly below 10m guide for depth the plot are relatively wide and the plot sizes are considered acceptable, providing adequate on site parking and garden area. The properties in Latchmore Forest Drive are slightly elevated and the small shortfall in the proposed garden depths is not considered to be detrimental to residential amenities.
- 7.8 In respect to the recently constructed bungalows to the north, the plans have been amended to provide for a lowered eaves height to the 2 properties fronting this part of the site, with the dormers serving a bathroom and the rooflights having a cill height of 1.75m. Obscure glazing and the height of the cill can be conditioned to maintain privacy, and this relationship is considered acceptable. Regarding properties in Brewster Close, these properties are sited to the north beyond vacant land and window to window separation exceeds the 20m minimum. Concern has been raised

regarding drainage and the Development engineer is satisfied that the matter can be satisfactorily addressed by condition.

iv. Adequacy of parking and access

- 7.9 The proposal seeks to utilise the existing access serving the 2 bungalows. The application details provide for 2 parking spaces per dwelling and this accords with the Council's adopted standards. The plans have been amended to show vehicle tracking and the Council's Highway Engineer has raised no objection to the proposal with respect to access and parking.

v. Effect on surrounding trees

- 7.10 The application has been amended to move the development further from the TPOed trees and an Arboricultural Impact Assessment and Tree Protection Plan have been submitted in support of the application. The Arboriculturalist has assessed the proposal and considers that as now amended an objection on impact on TPOed trees cannot be substantiated.

vii. Ecological issues

- 7.11 The representations refer to failure to have regard to the provisions of Policy DM8 –protecting natural features, providing new landscape works and retention of suitable green spaces. The proposal has been amended to prevent detriment to the mature oaks, and the gardens will be landscaped in accordance with the requirement of this policy. The application site relates to an area historically used for parking and materials storage and development of the site which, lies within the built up area is not considered to result in the loss of an important green space.
- 7.12 The development would increase the number of dwellings within the zone identified as significant in potentially increasing recreational pressure on the Solent SPA. Natural England's advice in regard all new housing development within this zone is that it is likely to have a significant effect on the SPA. The measures of mitigation adopted by the LPA at the end of June this year requires a payment of £172 per dwelling to the Solent Disturbance Mitigation Project. This payment has been paid and the relevant form has been completed by the applicant.

v. CIL Liability

- 7.13 The CIL rates to be applied to development are set out in the Havant Borough Community Infrastructure Levy Charging Schedule, which was adopted by the council on the 20th February 2013. This followed two public consultation exercises and an Examination into the Charging Schedule by an independent Examiner. The Examiners Report concluded that the Havant Borough Council Community Infrastructure Levy (CIL) Charging Schedule provided an appropriate basis for the collection of the levy in the borough. The levy is charged at £80 per square metre on new floorspace (measured as gross internal area).
- 7.14 It is considered that there is a CIL liability for this site and the Assumption of Liability Notice has been received.

8 Conclusion

The application is considered acceptable and therefore the recommendation is to

approve. The development is CIL liable and the applicant has submitted an Assumption of Liability.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/14/00439

subject to the following conditions

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted.
Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 Construction of the building(s) hereby permitted shall not commence until a specification of the types and colours of all external roofing and external facing materials, including the provision of sample panels of the external facing materials and colour of mortar to be used for the construction of the same, has been submitted to and approved in writing by the Local Planning Authority. Thereafter only such approved materials and finishes shall be used in carrying out the development.
Reason: In the interests of the amenities of the locality and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 3 No development hereby permitted shall be commenced until a more detailed soft and hard landscaping scheme including boundary treatment has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the proposed finished ground levels in relation to the existing levels, the distribution and species of ground cover to be planted, the positions, specie sand planting sizes of the trees , shrubs to be planted and/or retained and all surfacing and walling/fencing materials , and timing provisions for completion of the implementation of all such works.
The implementation of all such approved works shall be completed in full accordance with such approved timing provisions. Any tree or shrub planted or retained as part of such approved scheme which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS16, and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 4 No development hereby permitted shall commence until plans and particulars specifying the layout, depth and capacity of all foul and surface water drains and sewers proposed to serve the same, and details of any other proposed ancillary drainage works/plant (e.g. pumping stations) have been submitted to and approved in writing by the Local Planning Authority. Unless agreed

otherwise in writing by the Local Planning Authority, the development hereby permitted shall not be brought into use prior to the completion of the implementation of all such drainage provision in full accordance with such plans and particulars as are thus approved by the Authority.

Reason: To safeguard the amenities of the locality and ensure that all such drainage provision is constructed to an appropriate standard and quality and having due regard to policies and proposals CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 5 The premises shall not be occupied before the proposed access and the crossing of the highway verge and/or footway is constructed and laid out in accordance with the approved details.

Reason: In the interests of highway safety and having due regard to policies CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 6 No dwelling shall be occupied until space for the parking of vehicles has been provided within each site, surfaced and marked out in accordance with the approved details. Such areas shall thereafter be retained and used solely for those purposes.

Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 7 The development shall be carried out strictly in accordance with the Arboricultural Impact Assessment and Tree Protection Plan 2013.078 PL02

Reason: To protect the health of trees to be retained in the interests of amenity and having due regard to policies CS11.4 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 8 No development hereby permitted nor any related site clearance shall commence until plans and particulars specifying the finished levels (above ordnance datum) of both the ground floors of the proposed buildings and the surrounding ground levels in relation to existing ground levels have been submitted to and approved by the Local Planning Authority.

Reason: In the interests of the amenities of the locality and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 9 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and shall provide for:

- a) The parking of vehicles of site operatives and visitors.
- b) Loading and unloading of plant and materials.
- c) Storage of plant and materials used in constructing the development.
- d) Measures to control the depositing of dirt and mud on surrounding roads during construction.
- e) Measures to control the emission of dust and dirt during construction.

Reason: In the interests of the amenities of the locality and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 10 The rooflights on the front elevation on approved Drawing No. shall have a minimum cill height of 1.75m above finished floor level.
Reason: To protect the amenities of adjoining residential properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 11 First floor windows on the front elevation of plots 1 and 2 shall at all times be and remain glazed entirely with obscure glass, the particular type of which glass shall provide a degree of obscuration no less obscure than that which is provided by Pilkington's Texture Glass Obscuration Level 4.
Reason: In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 12 The development hereby permitted shall not be occupied until a Completion Certificate of Compliance with the Code for Sustainable Homes has been submitted to and approved in writing by the Local Planning Authority. The Certificate shall demonstrate that the development will attain a minimum standard of Level 3 in accordance with the Code. The development shall be carried out only in accordance with the details the subject of the Certificate.
Reason: To ensure that the development is carried out in accordance with Policy CS14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order) no extensions, alterations, buildings or structures permitted under Schedule 2, Part 1, Classes A, B, C and E of the Order shall be constructed at or erected within the curtilages of the dwellings hereby permitted without the prior approval in writing of the Local Planning Authority.
Reason: To enable the Local Planning Authority to maintain control of such additions in the interests of the character and appearance of the development and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 together with the National Planning Policy Framework.
- 14 The development hereby permitted shall be carried out in accordance with the following approved plans:

Location and block plan 2013.078 PL01Rev c
Design and Access Statement
site Plan 2013.078 PL02 RevA
Ground floor plan 2013.078 PL03 Rev B
Roof Plan 2013.078 PL05 Rev C
Front and rear elevations 2013.078 PL06 Rev c
Side elevations and sections 2013.078 PL07 Rev C
Tracking layout 2013.078 PL08
Arboricultural Impact Assessment 0690bjhMar14
Survey 11413_TOPO_200_REV_B

Reason: - To ensure provision of a satisfactory development.