
Site Address: 53 Hart Plain Avenue, Waterloooville, PO8 8RG
Proposal: Demolition of existing 3 bed bungalow and construction of 4No. 4 bed detached houses, 3 with integral garages and 1 detached garage and associated parking and landscaping with access from Wedgewood Way.
Application No: APP/13/00576 Expiry Date: 28/11/2013
Applicant: Mr G Anderson Team: Team 2
 Peak Quality Homes Ltd
Agent: Case Officer: Aaron Wright
Ward: Hart Plain DMC Lead Member

Reason for Committee Consideration: Councillor request.

Density:

HDS Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 53 Hart Plain Avenue is an old bungalow accessed via an unmade drive between 51 and 55 Hart Plain Avenue. The site is approximately 0.19 hectares in size. The site is a relatively level, wild grassed area with a few shrubs. There is a row of Lawson Cypress trees along the western boundary. There are a number of Oak and Cherry trees along the southern boundary, with the Oaks being subject to a Tree Preservation Order.
- 1.2 To the north of the site is Wedgewood Way, a cul-de-sac of predominantly semi-detached properties, having linked garages. No.16 Wedgewood Way has been extended and has a blank gable end facing the site. There are also 3 properties in Delft Gardens with rear elevations and gardens facing the western boundary of the site (17 & 19 are two storey dwellings; 21 is a bungalow). It should be noted that the back to back separation of properties in Wedgewood Way and Delft Gardens is approximately 20m, reducing to 18m immediately north of the application site.

2 Planning History

06/66444/004

Construction of 2No. 3 bed dwellings with associated car garages utilising a new access to Wedgewood Way. 01/06/06 Refused for the following reasons:

1. Development of the site in the manner proposed results in an overdevelopment of the site leading to a loss of amenity to adjoining properties. The proposal is therefore contrary to policies and proposals UB1, UB3 and H11 of the Hampshire County Structure Plan 1996-2011 (Review) and UA1, UA2, D1 (D4), H2 (H3) and H5 (H6) of the Havant Borough District-Wide Local Plan 1996-2011.

2. The proposal, without completion of the appropriate binding arrangements, is contrary to the Council's approved Green Transport Infrastructure policy which, in accordance with PPG13, seeks to secure an appropriate balance between the individual use of the motor car and a more sustainable transportation system. The development proposed would continue to place unfettered reliance upon the use of

the private motor vehicle without contributing to local improvements, which will promote alternative modes of travel. The proposal is therefore contrary to policy T5 of the Hampshire County Structure Plan 1996-2011 (Review) and T11 of the Havant Borough District-Wide Local Plan 1996-2011.

06/66444/003

Construction of 3No. 3 bed houses and garages with access to Wedgewood Way.
Refused 22/03/06.

05/66444/002

Construction of 4No. 3 bedroom houses with attached garages and new access to Wedgewood Way. Withdrawn 20/12/05.

3 Proposal

- 3.1 The application is for the demolition of the existing dwelling and construction of 4No. 4 bed detached dwellings. The dwellings are two-store in height and have been arranged with the main elevations facing into the site. Each house design, has been based on architectural aspects of the surrounding houses in order to ensure that the development is in keeping. The dwellings would be of traditional design with hipped roofs and gables with exterior finishes of quality brickwork, clay roof tiles and tile hanging to provide an attractive mix of individual by cohesive features.
- 3.2 The dwellings would be provided with three parking spaces each. Three dwellings would have integral garages and one dwelling would have a detached garage. The existing access via Hart Plain Avenue would be closed off by a new boundary fencing and a new vehicular access would be created from Wedgewood Way.
- 3.3 New planting would be provided to the front of the site, and therefore would be some loss of trees. However, the trees subject of the Tree Preservation Order would be retained and protected.

4 Policy Considerations

National Policies

Core Strategies 2011 forming part of the HBLDF

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS16	(High Quality Design)
CS21	(Developer Requirements)
CS9	(Housing)
DM10	(Pollution)
DM13	(Car and Cycle Parking on Residential Development)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Local Plan (Allocations Plan) Publications, 2013

Policy DM24 (Recreational Disturbance to Special Protected Areas (SPA) from Residential Development)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist

Large scale tree removal is required to facilitate development as well as a requirement for some tree pruning works to facilitate works.

The trees proposed for removal are of low value and grading and could be removed for sound arboricultural reasons regardless of any redevelopment proposals. No trees highlighted for removal should be considered a constraint to development. However I have not seen a mitigation planting plan that accounts for their loss.

There are a group of trees to the SW edge of the site that back onto Delft Gardens, and while not of a TPO quality they are considered to be important trees in terms of a soft boundary treatment. The trees are shown to be retained and protected, and their retention post development should be conditioned so as local residents continue to be afforded the privacy they offer.

An amended plan has been received reducing the size of unit 4, to ensure that it is outside the Root Protection Area of the TPO tree. This is now considered acceptable, however there may be future pressure to prune the TPO trees. However, the pruning of the TPO trees would require approval from the Council.

Additional tree planting must be provided on the site to replace the trees that have been felled.

No objection subject to conditions.

Building Control Officer

No comment.

Waste Services Manager

No comments received.

Development Engineer

No objection subject to the following conditions:

- 3 parking spaces per property plus cycle facilities- A condition/106/278 requiring that the modification of the highway (to provide the vehicular access to the development) must be built to the specification of the Highway Authority.

Public Spaces Development Manager

No comment.

Crime Prevention Officer

The proposal appears to create a route from Wedgewood Way to Hart Plain Avenue. Such connectivity would change the status of Wedgewood Way from a cul-de-sac in to a leaky cul-de-sac. Such a change increases the vulnerability of the both the existing road and the proposed development to crime. The publication 'Safer Places the Planning System and Crime Prevention' gives the following guidance: "Homes in cul-de-sacs can be highly secure, but the cul-de-sac should be short and straight (to allow visibility from one end to the other) and should not be joined by networks of footpaths that are irregularly used but likely to foster criminal activity." To reduce the opportunities for crime I would recommend closing the existing access and incorporating the space into the existing gardens or that the access to the proposed

development is from Hart Plain Avenue.

Comment: Access to Hart Plain Avenue will not be retained from this site, the new boundary fence will run all the way down the North-Eastern side of Plots 3 & 4.

County Ecologist

Initial comments:

The application is accompanied by an 'Ecological Impact Assessment' report which provides a sound assessment of the site's current ecological value. In summary, the site comprises a single residential bungalow surrounded by a defunct garden plot containing unmanaged tussocky grassland, areas of taller herbaceous vegetation, shrub and trees. The site is essentially isolated within a densely urban area and is thus considered to be of ecological value at a local level only. Overall the ecological assessment is of a good standard and makes well-reasoned statements regarding the site's value to various legally protected species.

Based the initial Phase 1 survey, Phase 2 surveys were undertaken to assess the presence/likely absence of roosting bats within the bungalow and reptile species in the grounds. The bat survey was undertaken in mid-September which is just outside of the optimal survey period - however September 2013 was very mild and bats were certainly very active throughout that month; I don't see the timing as a significant limitation in this case. No bats were recorded roosting within the bungalow and there was a low level of activity noted in the site as a whole.

Whilst I am content that a sufficient level of survey effort has been expended upon the bungalow, I would like to seek clarification on the possible presence of roosting bats within an on-site tree. Local residents have stated that survey works in relation to previous planning applications in 2006 highlights the presence of roosting bats within a large oak tree within the grounds of the application site - this tree is apparently covered by a Tree Preservation Order. Having investigated the details of the 2006 application (06/66444/004) I can find no evidence of any ecological reports so I cannot at this time comment on the presence of roosting bats: I would welcome further information from the applicant on this matter, as clearly the presence of bats within an on-site tree may have implications for this application. It is clear that, in general, local residents place great value on this area of land and consider that it is a haven for local wildlife.

The site has been shown to support a population of reptiles, although no population size estimate has been provided - a quick count by me has put the number of slow-worms in the high 20s or thereabouts, plus there is a possibility of common lizard occurring (I cannot see common newts moving fast enough to be confused with lizards as suggested in the report). In any case, the site clearly supports a population of reptiles which is likely to be significant at the local level, given the general absence of any substantial open green space.

A series of recommendations are provided which explain that a capture and translocation strategy will be employed in order to remove reptiles from the site prior to commencement of development works. Whilst the methods proposed are perfectly reasonable and in line with industry best practice, I consider that additional information is required on the destination of reptiles translocated from site. No information is provided on the receptor site and it is therefore not possible for the LPA to comment on the validity of any reptile mitigation plans.

In summary, whilst I do not consider that to be any insurmountable ecological constraints at this site, I do consider that clarification is needed in respect to

tree-roasting bats and reptile translocation methods. I recommend that this information is sought from the applicant prior to further consideration of the application.

Further comments (06/11/13)

I am now in receipt of some additional ecological information provide to you by the applicant. Based on the information provided within the Addendum report I am now content that sufficient ecological information has been provided.

The application is now accompanied by an 'Ecological Impact Assessment Addendum' report which provides additional information in respect to the issues raised by me (in my consultation response dated 22nd October 2013) and by Natural England (comments dated 22nd October 2013).

My comments on this Addendum report are as follows:

Bats

I can find no evidence that survey works in relation to the previous application in 2006 found roosting bats, despite comments made by local residents and Natural England – the planning officer's report for that application makes specific reference to the fact that there were no ecological constraints, and ecology was not a reason for refusal in 2006. It may well be that there are/were roosting bats present within the large oak tree on site, but the current application makes it clear that no works to TPO trees will occur and thus there are no potential impacts to roosting bats from arboricultural works. Any works to such trees (e.g. cutting of ivy, removal of dead limbs etc.) must receive assent from the Local Planning Authority and, given the possibility of bats occurring here, I would expect Havant Borough Council to request that updating bat surveys are undertaken – this should include a full Phase 2 emergence survey where necessary (i.e. if impacts are anticipated). I also note that HBC's arboricultural officer has raised concerns in respect to the TPO tree's proximity to Plot 4 - he is concerned that future occupants could apply pressure to have this tree trimmed. Clearly this will only be possible once all necessary ecological constraints have been addressed via an application to work on a TPO tree. I am therefore content that this mechanism will ensure that bats are considered fully prior to any arboricultural works – the LPA and local residents are aware of the potential for bats to occur and that there is a correct procedure to follow should works be required.

With no direct impacts to the tree anticipated, there is the potential for its proximity to the proposed dwellings to result in indirect impacts from light spillage. Whilst it is not a prerequisite for applications to contain a detailed lighting plan, I would request that any such plan is first reviewed by HBC's ecologist so that any potential issues can be addressed. If you are minded to grant permission, could I suggest that such a measure is secured via a suitably-worded condition:

Prior to commencement, a scheme of lighting (for the period of construction and the operational life of the development), designed to minimise impacts on wildlife, particularly bats, shall be submitted to and approved in writing by the LPA. Thereafter the approved scheme shall be implemented. Reason: to minimise impacts of lighting on the ecological interest of the site.

Reptiles

The Addendum report contains details on the proposed reptile receptor site. This comprises an area of rough grassland situated within a privately-owned 'nature

reserve' adjacent to Butser Hill National Nature Reserve. This site comprises suitable reptile habitat and has apparently been managed for reptiles since its 'recent' conversion from arable farmland. I am content that this receptor site provides suitable habitat which is likely to be able to accommodate the relatively small number of common reptile species recorded within the application site – the tussocky sward and presence of log piles will increase the site's carrying capacity for reptiles.

I am keen for the LPA to be kept informed of the efficacy of the proposed reptile translocation works and therefore would request that any consent includes a suitably-worded condition such as:

A brief report providing details of the reptile translocation exercise (methods used, number, sex and age-class of animals captured and transported) undertaken on site shall be submitted to the Local Planning Authority within 3 months of the final translocation visit.

Ecological Mitigation, Compensation and Enhancement

In line with national (NPPF) and local (HBC Local Plan Core Strategy) planning policy, new development should seek to minimise impacts on biodiversity and also utilise measures to compensate for impacts and enhance biodiversity through development. Whilst the proposed reptile mitigation measures will ensure that protected reptile species are not harmed, there is also an opportunity for the proposed development to incorporate ecological enhancement features such as bat boxes and bird boxes or species-rich native vegetation.

Therefore, if you are minded to grant permission, could I suggest that the ecological compensation and enhancement measures detailed within the ecology reports are secured via a suitably-worded condition, such as:

Development shall proceed in accordance with the ecological compensation and enhancement measures detailed within the 'Ecological Impact Assessment' report (The Environmental Project Consulting Group, September 2013) and the 'Ecological Impact Assessment Addendum' report (The Environmental Project Consulting Group, 1st November 2013) unless otherwise agreed in writing by the Local Planning Authority. Reason: to provide suitable biodiversity enhancements in line with NPPF and with Policy CS11 of the Havant Borough Local Plan Core Strategy.

Natural England

We have received notification from a member of the public regarding the abovementioned planning application, stating that there are bats, slow worms, hedgehogs and breeding birds present on site. Where representations from other parties highlight the possible presence, or the Council is aware of a Protected or Priority species on the site, the Council should request detailed survey information from the applicant before determining the application. Paragraph 98 and 99 of ODPM Circular 06/2005 provides information on priority and protected species and their consideration in the planning system. We have also noted that although the bat survey effort undertaken on site has identified that bats are not using the buildings, bats are known to have roosted in one of the mature oaks on site previously, (this is well documented), and the survey undertaken did not include any trees on site. As a number of trees are destined to be felled or have 'works' carried out, the Council should remind the applicant that further surveys should be undertaken in order to ensure compliance with the law. We would draw the Council's attention to Natural England's Protected Species Standing Advice, which provides guidance on when protected species may be impacted by a proposal.

Comment: An Ecological Impact Assessment Addendum has been submitted in light of the above comments. The County Ecologist has been consulted on this updated document and his updated comments are set out above.

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: 23

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 15 letters of representation have been received raising the following concerns:

- a) No new dwelling should be built on a flood plain.
- b) Increased risk of flooding.
- c) There are protected Oak Trees on the site.
- d) Property value will decrease.
- e) There is enough new development in Waterloooville.
- f) Loss of wildlife, trees and natural hedgerows.
- g) Drainage issues.
- h) Overdevelopment of the site.
- i) Would cause harm to the character of the area eroding an important gap between developments.
- j) Increase in cars and as such noise and carbon emissions.
- h) Current parking problems in Wedgewood Way.
- i) Increase in noise, dust and disturbance.
- j) Pressure on local services.
- k) Loss of privacy and overlooking.
- l) Increase in traffic and inability for emergency service and refuse vehicles to turn in the site.
- m) Subsidence issues.
- n) Access rights over the land that is required for the Wedgewood access.

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) Impact upon the character of the area
- (iii) Effect on Residential Amenity
- (iv) Access and Parking Issues
- (v) Effect on trees
- (vi) Ecology
- (vii) Drainage
- (viii) Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development

(i) Principle of development

7.2 In relation to the consideration of this application, the National Planning Policy Framework is of most relevance as it sets out the Government's planning policies for England and how these are expected to be applied. At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking. The overarching role of the planning system is to proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. As such the principle of development is therefore considered acceptable subject to the usual development control criteria.

7.3 In 2006, the Council refused planning permission for new dwellings on the application site. The applications were refused due to issues such as overdevelopment of the site, impact on trees and the lack of a transport contribution. These applications retained the existing large bungalow and proposed new dwellings along the west boundary of the site. This application differs to those previous applications, in that the existing bungalow is to be demolished, resulting in a larger development site.

7.4 The application is for the construction of 4 No. 4 bed detached dwellings following the demolition of the existing dwelling. Policy CS9 of the Core Strategy refers to new housing in the Borough. It states that planning permission will be granted for housing proposals that will:-

- Contribute to achieving a net total of 6,300 new dwellings between 2006 and 2026.
- Achieve a suitable density of development for the location, taking into account accessibility to public transport and proximity to employment, shops and services in addition to respecting the surrounding landscape, character and built form.

7.5 The proposed development would result in an efficient use of land and provide much needed new housing for the Borough. The density of new housing will depend on its design and appropriateness to its location. The proposal results in a scheme of 21 dwellings per hectare, which is considered to be a low density of development as defined in paragraph 6.21 of the Core Strategy. This is considered to be an appropriate level of density given the surrounding built character and trees on-site.

(ii) Impact upon the character of the area

7.6 The existing dwelling (No.53) on the site is currently considered as backland development as access is via Hart Plain Avenue and sits directly to the rear of 55 and 57 Hart Plain Avenue. The application proposes to demolish the existing dwelling and construct No.4 detached dwellings. Access to the proposed development would be via Wedgewood Way rather than Hart Plain Avenue. The proposed four detached houses have been arranged with the main elevations looking into the site. Each house design, has been based on architectural aspects of the surrounding houses, in order to ensure that the development is in keeping with the surrounding area. The proposed design incorporates hipped roofs, and gables with exterior finishes of quality brickwork, clay roof tiles and tile hanging to provide an attractive mix of dwellings. The proposed development would appear as part of the cul-de-sac of Wedgewood Way and as such would be in keeping with the surrounding residential properties. The development therefore accords with Policy CS16 of the Core Strategy.

(iii) Effect on Residential Amenity

- 7.7 There are three properties in Delft Gardens with rear elevations and gardens facing the western boundary of the site (17 & 19 are two storey dwellings; 21 is a bungalow). Plots 1 and 2 have garden lengths of 11.8m and 10.2m respectively. Such garden depths match those of most properties in Wedgewood Way and are therefore appropriate for the character of the area. The resultant separation between the plots and the rear of the properties in Delft gardens is between 19 and 21m. On this western boundary there is a row of lawson cypress trees that form a mature hedge. This is shown for retention and would assist in screening the development from the 3 properties in Delft Gardens. Therefore with adequate retention of, and provision of, supplementary screening it is not considered that the loss of privacy to the properties in Delft Gardens will cause unacceptable loss of amenity.
- 7.8 No 16 Wedgewood Way is located to the north of the application site (on the western side of Wedgewood Way). The side elevation of Plot 1 would be 2.2m from the shared boundary with this neighbouring property. No.16 has a blank end elevation facing the site so again the proposal is not considered to have any undue loss of privacy to the occupiers of this dwelling.
- 7.9 No.11 Wedgewood Way is also located to the north of the application site (on the eastern side of Wedgewood Way). Plot 3 would sit forward of the building line with No.11, however this is not considered to be of significant concern. Plot 3 would be sited 1.8m off the shared boundary with this neighbouring property and would not cause any loss of amenity to the occupiers of this dwelling.
- 7.10 To the east of the application site are 55 and 57 Hart Plain Avenue. These are both detached dwellings that have garden lengths of over 45m. The resultant separation between Plots 3 and 4 and the rear of the properties in Hart Plain Avenue is approximately 53m. As such it is not considered that there is any loss of privacy to these neighbouring properties. It is therefore concluded that the proposed development would not adversely affect surrounding residential properties in terms of loss light, privacy or overlooking.

(iv) Access and Parking Issues

- 7.11 The application is for 4No. 4 bed detached dwellings, three with integral garages and one with a detached garage. Each dwelling is provided with 3 parking spaces. The Council's Development Engineer has been consulted on the application and has raised no objection subject to conditions.
- 7.12 A new access is to be provided from Wedgewood Way, with the existing access from Hart Plain Avenue closed off. This will be achieved by erecting a new boundary fence all the way down the eastern side of Plots 3 and 4.
- 7.13 Representations have been received regarding the use of Wedgewood Way as an access point. The adoption of Wedgewood Way extends right up to the northern boundary of the site. Therefore highway rights extend to the site and anyone has the right to pass over it. Since it is not a classified road then the opening up of the northern boundary and taking a private drive off it does not in itself constitute development requiring planning permission. The occupier, or any future occupier of 53 Hart Plain Ave, could at any stage create this access. Therefore there is no objection in principle to the creation of a private drive serving the 4 dwellings proposed. Wedgewood Way will essentially remain a cul-de-sac with all the benefits to living conditions maintained.

(v) Effect on Trees

7.14 A Tree Survey and Tree Protection Plan has been submitted in support of the application. Tree Preservation Orders 1758 and 1776 cover four Oak Trees within the site. No work is to be carried out to trees which are the subject of a Tree Preservation Order. Tree removal is required to facilitate development as well as a requirement for some tree pruning works to facilitate works. The trees proposed for removal are of low value and grading and could be removed for sound arboricultural reasons regardless of any redevelopment proposals.

7.15 The group of trees to the south-west edge of the site that back onto Delft Gardens, are not of Tree Preservation Order quality, however they are considered to be important trees in terms of a soft boundary treatment. The trees are shown to be retained and protected and would assist in screening the development from surrounding properties.

7.16 A revised site plan has been submitted reducing the size of Unit 4, so that it is not within the root protection area of the TPO'd Oak Tree. The Council's Arborist has been consulted on the revised plan and has raised no objection to the application. Additional tree planting is sought within the site to replace existing trees. A planning condition is recommending requiring a soft landscaping scheme to be submitted to the Council for approval.

(vi) Ecology

7.17 An Ecological Impact Assessment has been submitted in support of the application. An initial scoping visit on 4 September 2011 identified that a large population of slow worms, common frogs and newts; and nesting birds were present on-site. Examination of the existing dwelling and an activity survey did not reveal bats using the building.

7.18 However, Natural England and the County Ecologist initially responded with the following comment:

"Local residents have stated that survey works in relation to previous planning application in 2006 highlighted the presence of roosting bats within a large oak tree within the grounds of the application site – this tree is apparently covered by a Tree Protection Order. Having investigated the details of the 2006 application (06/66444/004) I can find no evidence of any ecological reports so I cannot at this time comment on the presence of roosting bats'.

7.19 The Council, however is also unable to find any survey work on the 2006 application that confirms that bats are roosting within a large oak tree within the ground of the application site. An updated Ecological Impact Assessment Addendum (dated 1 November 2013) has been submitted to the Council in response to the formal consultation comments received from Natural England and the County Ecologist.

7.20 The Ecological Impact Assessment Addendum states that no reference is given to documentation confirming the presence of bats in the Oak Tree. Furthermore, the Oak Trees subject of the Tree Preservation Order are shown for retention and any works to the trees would have to be approved by the Council and could be supervised by a licensed bat ecologist.

7.21 The Ecological Impact Assessment and updated Addendum has made several recommendations. These include:

- shrubs and trees should not be removed during the nesting period between March and August.
- Reptiles and amphibians should be removed during the spring and early summer and transferred to a safe location. The reptiles would be transferred to a private nature reserve on the edge of Butser Hill. This field, and adjacent woodland is part of the 'Whitelands Project'.
- If hedgehogs are found on site during the reptile translocation proposed for Spring 2014, then a hedgehog proof fence will be erected.
- Bat roosting and bird nesting boxes should be installing on the dwelling and retained trees to provide additional and replacement habitat.

7.22 The County Ecologist have been consulted on the updated addendum and his comments are set out in full above. He can find no evidence that survey works in relation to the previous application in 2006 found roosting bats, despite comments made by local residents and Natural England. The planning officer's report for that application makes specific reference to the fact that there were no ecological constraints, and ecology was not a reason for refusal in 2006. He has confirmed that he is content that mechanisms set out in the reports will ensure that bats are considered fully prior to any arboricultural works – the Local Planning Authority and local residents are aware of the potential for bats to occur and that there is a correct procedure to follow should works be required. In regards to the translocation site for the reptiles, he considers it a suitable habitat which is likely to be able to accommodate the relatively small number of common reptile species recorded within the application site – the tussocky sward and presence of log piles will increase the site's carrying capacity for reptiles. As such, no objection is raised to the application on ecological grounds.

(vii) Drainage/Flooding

7.23 The site is located within a Flood Zone 2 of medium probability of flooding assessed as having between a 1 in 100 and 1 in 1000 annual exceedance probability of river flooding. A Flood Risk Assessment has been submitted in support of the application. The ground levels on the site as shown on the topography survey range from 42.10 - 42.50m AOD at the proposed location of the new dwellings. The Flood Risk Assessment therefore recommends that the floor levels of the proposed dwellings are raised a minimum of 300mm above the highest ground level of 42.50m AOD giving a minimum ground floor level of 42.80m AOD. Due to the medium risk of flooding, a Emergency Flood Plan is not required for this application. It is not considered that the proposed development is at significant risk of flooding and as such is considered acceptable. A condition is recommended that requires details on the layout, depth and capacity of all foul and surface water drains and sewers proposed to be submitted to and approved in writing by the Local Planning Authority.

(viii) Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development

7.24 The Council has recently published, for consultation, the Local Plan (Allocations Plan) publication. Within the plan is draft policy DM24 which seeks to mitigate impacts of new residential development on designated habitats (SPAs). This augments the existing policy CS11(11) of the Core Strategy. Currently, further work is needed to ascertain a fair and proportionate approach to mitigation, including the impact of small

residential developments and although provisions are not currently in place for measures to be undertaken or contributions to be made for development of the scale proposed here, this is likely to change in the future as further work is undertaken and the emerging policy acquires greater weight.

8 Conclusion

- 8.1 The proposed development would make efficient use of the land and provide additional housing for the Borough. The development has been carefully designed not to harm the character of the area or the residential amenity of surrounding residential properties. Sufficient turning and parking provision has been provided on-site to ensure that there would be no harm to the highway network. The recommendation is to grant permission subject to conditions.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/13/00576 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 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 including maintenance and management arrangements 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.
- 3 Construction of the dwellings 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.

- 4 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.

- 5 No development hereby permitted shall be commenced until a detailed soft landscaping scheme for all open parts of the site not proposed to be hardsurfaced 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, species and planting sizes of the trees and shrubs to be planted and/or retained, and timing provisions for completion of the implementation of all such landscaping works.

The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions. Any tree or shrub planted or retained as part of such approved landscaping 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 policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 6 No development hereby permitted shall commence until a specification of the materials to be used for the surfacing of all open parts of the site proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be occupied until the implementation of all such hardsurfacing has been completed in full accordance with that specification.

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.

- 7 No development hereby permitted shall commence until plans and particulars specifying the alignment, type, height and, where appropriate, construction materials and design of all proposed screen walls, fences, hedges and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. This shall include details on how the access to the site from Hart Plain Avenue is to be closed off. The development hereby permitted shall not be occupied prior to the completion of the installation of all screening provision as is thus approved by the Authority. At all times thereafter, all of that screening provision shall be retained in a wholly sound and effective condition.

Reason: To safeguard the amenities of the locality and occupiers of neighbouring property and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy

Framework 2012.

- 8 The garages hereby permitted shall be retained and kept available for the parking of cars at all times and shall not be converted to living accommodation.
Reason: To ensure the retention of adequate on-site car parking [in accordance with the standards adopted in the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and to discourage parking on the adjoining highway in the interests of local amenity and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 9 The development shall not be occupied until space for the loading, unloading and parking of vehicles has been provided within the 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) which forms part of the Development Plan and National Planning Policy Framework, March 2012.
- 10 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order, no extension, building or structure permitted by Part 1, Classes A, B, C, D and E of Schedule 2 of the 1995 Order (as amended), shall be erected within the curtilage of the site without the prior written approval of the Local Planning Authority.
Reason: In the interests of residential and visual amenity and to prevent overdevelopment of the site and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) which forms part of the Development Plan and National Planning Policy Framework, March 2012.
- 11 Prior to development commencing on site, a scheme of lighting (for the period of construction and the operational life of the development), designed to minimise impacts on wildlife, particularly bats, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved scheme shall be implemented in full.
Reason: To minimise impacts of lighting on the ecological interest of the site and having due regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 12 An ecological report providing details of the reptile translocation exercise (methods used, number, sex and age-class of animals captured and transported) undertaken on site shall be submitted to the Local Planning Authority within 3 months of the final translocation visit.
Reason: In the interests of ecological research and having due regard to policy CS11 of the Havant Borough Local Plan (Core Strategy) which forms part of the Development Plan and National Planning Policy Framework, March 2012.
- 13 The development hereby permitted shall be carried out in accordance with the ecological compensation and enhancement measures detailed within the 'Ecological Impact Assessment report (The Environmental Project Consulting Group, September 2013) and the 'Ecological Impact Assessment Addendum'

report (The Environmental Project Consulting Group, 1st November 2013).

Reason: to provide suitable biodiversity enhancements in accordance with policy CS11 of the Havant Borough Local Plan (Core Strategy) which forms part of the Development Plan and National Planning Policy Framework, March 2012.

- 14 The proposed development must be carried out in accordance with the Tree Survey and Tree Protection Plan produced by Bourne Landscape Consultants.
Reason: To provide the trees within the site and having regard to policy DM8 of the Havant Borough Local Plan (Core Strategy) which forms part of the Development Plan and National Planning Policy Framework, March 2012.
- 15 Demolition, clearance, excavation, road or construction works shall take place only between the hours of 0800 and 1800 hours on Mondays to Fridays and 0800 and 1300 hours on Saturdays and not at all on Sundays and all recognised public holidays.
Reason: To protect the amenity of adjoining residents and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 16 The development hereby permitted shall not be commenced until an Interim 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.
- 17 The Cypress Lawress Trees sited along the western boundary of the site (labelled 31 and 32 on the Tree Numbering and Qualitative Analysis Plan) shall be retained at all times.
Reason: To protect the amenity of the neighbouring properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) which forms part of the Development Plan and National Planning Policy Framework, March 2012.
- 18 The development hereby permitted shall be carried out in accordance with the following approved plans:

Flood Risk Assessment (prepared by Marin Harvey) dated 19/07/13
Garage to plot 4 (Drawing No.E133/10)
Design and Access Statement
Block Plan (Drawing No. E133/07)
Illustrative Pictures
Enviroscreen Certificate
Plot 1 - Plans, Sections and Elevations (Drawing No.E133/03)
Plot 2 - Plans, Sections and Elevations (Drawing No.E133/04A)
Plot 3 - Plans, Sections and Elevations (Drawing No.E133/05)
Plot 4 - Plans, Sections and Elevations (Drawing No.E133/06A)
Sketches

Tree Numbering and Qualitative Analysis (Drawing No BLC120138-1)
Existing Survey (Drawing No.1569/01)
Drainage Plan (Drawing No.E133/08)
Tree Survey prepared by Bourne Landscape Consultants date May 2012
Location Plan (Drawing No.E133/01)
Ecological Impact Assessment (prepared by The Environmental Project
Consulting Group) dated September 2013
Site Plan (Drawing No.E133/02A)
Coloured Site Plan (Drawing No.E133/11)
Tree Protection Plan (Drawing No.BLC130148 Rev B)

Reason: - To ensure provision of a satisfactory development.

Appendices:...