
Site Address: 98 Bedhampton Road, Havant, PO9 3EZ
Proposal: First floor and roof extensions to provide 3No. 2 bed flats at first and second floor level with associated car parking, cycle and bins storage and access from Lester Avenue. Crown lift 1No. Common Ash (T3) to 6.5m and reduce laterals to the south side by 1.8m to provide clearance from the building and further provide clearance around telephone cables, subject to TPO 1795.
Application No: APP/14/00591 Expiry Date: 16/10/2014
Applicant: Mr Robert Cainer Team: Team 1
 Sterling Estates Limited
Agent: Mr Wensley Case Officer: David Eaves
 Daniells Harrison
Ward: Bedhampton

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The site is located on the corner of Bedhampton Road and Lester Avenue. At the ground floor level, the building is in use as a retail unit (Off Licence/convenience store) with rear storage area. At first floor is a flat unit (3 bed). There are 3 TPO trees close to the western boundary of the site. To the east of the site is a plot are two dwellings which have access across the rear of the site.

2 Planning History

08/55687/005 First floor and roof extensions to provide 3No. 2 bed flats, associated car parking, cycle and bin storage with access from Lester Avenue. Works to Common Ash tree (T3) subject to TPO 1795 including crown lift to 6.5m and removal of branches interfering with telephone wires. PER Sept 08

08/55687/004 First floor and roof extensions to provide 3No. flats (2No. 2 bed & 1No. 3 bed) associated car parking, cycle storage and bin storage. Works to Common Ash tree (T3) subject to TPO 1795 including crown lift to 6.5m and removal of branches interfering with telephone wires. REF April 08

95/55687/003 Externally illuminated hanging sign, displayed from metal pole
PER

94/55687/002 Replacement fascia sign PER

90/55687/001 Single storey rear extension to form new store and alterations (including removal of balcony, canopy & bay windows) to the front elevation. PER

3 Proposal

First floor and roof extensions to provide 3No. 2 bed flats at first and second floor level with associated car parking, cycle and bins storage and access from Lester Avenue. Crown lift 1No. Common Ash (T3) to 6.5m and reduce laterals to the south side by 1.8m to provide clearance from the building and further provide clearance around telephone cables, subject to TPO 1795.

4 Policy Considerations

National Planning Policy Framework 2012

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS14	(Efficient Use of Resources)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS20	(Transport and Access Strategy)
CS21	(Developer Requirements)
CS9	(Housing)
DM13	(Car and Cycle Parking on Residential Development)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Environmental Health

Raise no objection.

Arboriculturalist

No tree removal is required to facilitate this project.

The supporting arboricultural evidence is comprehensive and provided that the methodology prescribed in the AMS & TPP report is strictly adhered to the [1]Ash and Sycamore will survive the development unscathed and to continue to grow on safely and healthily in the future.

Therefore I have no objections to this scheme in arboricultural terms.

[1] It is important to note that the Ash is showing signs of stress and as such maybe moving into decline, as such it should be monitored by the applicants Arb.

Development Engineer

I have no adverse comment to this application subject to a condition for the provision of three parking spaces and cycle facilities.

Crime Prevention -Minor Apps

No comments received

Building Control

No comments

Waste Services Manager

I have no waste collection concerns at this location.

Traffic Management Team

No comments received.

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: 12

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 1

Summary:

Ownership and access rights issues.

Comment:

Notice served and Cert B completed

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:

- 1 Principle of Development
- 2 Effect on existing retail units
- 3 Effect on residential amenity
- 4 Effect on surrounding trees
- 5 Effect on character and appearance of the area/Streetscene
- 6 Highway implications/parking
- 7 Developer Contributions/CIL

(i) Principle of development

7.2 With regard to the principle of development, the site lies within the urban area where the development plan allows for the principle of infill development subject to the environmental effect of the development being acceptable and development control criteria being satisfied.

7.3 It should also be noted that there is a previous consent for the proposed development, however, this consent has now lapsed.

(ii) Effect on existing retail units

- 7.4 The proposal would retain the existing ground floor retail unit and associated storage. Car parking associated with the proposed residential use would be provided on site and on street parking for the retail unit would therefore be unchanged.

(iii) Effect on residential amenity

- 7.5 In relation to residential amenity, there are considered to be two elements which require consideration. The first relates to the amenities of future occupants of the units and the second to adjoining residents to the east (2a and 2b Lester Avenue and 96 Bedhampton Road) and to the north (2 Lester Avenue).
- 7.6 The proposal would increase the residential units from 1 to 3. The existing flat has 3 bedrooms. The two new flats would have 2 bedrooms. Given the size of the flats it is possible that they would be occupied as family accommodation. The layout of the site would provide for limited amenity space for residents to the rear and side of the building. Bin storage would take place to the side of the building. The Environmental Health officer considers the flats suitable in terms of layout etc. The positions of the domestic and commercial bin stores are considered satisfactory with enclosed facilities.
- 7.7 With regard to 96 Bedhampton Road to the east, this building is in commercial use at ground floor level with a flat above. The flat has rear (north) facing windows at first floor level, the closest to the application building being a kitchen and beyond that a bedroom window. The proposal is considered to have an acceptable impact on the flat beyond, and no objections have been received.
- 7.8 The two new properties to the east No's 2a and 2b Lester Avenue are two storey houses and include windows facing over the rear of the application site. There are no directly facing windows proposed in the new development. there is also a garage building within 2b set closest to the common boundary. The mass and bulk of the proposed extended building is reduced by the incorporation of a hipped roof line to the north facing elevation. There would be some loss of afternoon light from the proposal, however, this is not considered to be sufficient to warrant a refusal of planning permission. Car parking would take place to the front of the adjoining property, however the parking for 2a and 2b already takes place to the front of these properties and subject to the retention of suitable boundary treatment this relationship is considered acceptable. No objections on neighbour amenity issues have been received from these properties.
- 7.9 The property to the North 2 Lester Avenue would be set approximately 19.5m off the proposed building and with a slight set off at an angle, there is also some screening from the existing TPO'd trees. It is considered that this relationship is acceptable.

(iv) Effect on surrounding trees

- 7.10 In relation to the impact on trees, there are 3 significant trees within the site and adjacent to the road frontage, an Ash, Sycamore and a Silver Birch. The application was accompanied by an arboricultural assessment and report prepared by Bernie Haverson. Works to the Ash tree are required to facilitate the development. The proposals in relation to trees are considered satisfactory by the Councils Arborist. Conditions to seek to ensure that works are carried out satisfactorily are recommended.

(v) Effect on character and appearance of the area/Streetscene

- 7.11 With regard to the impact on the streetscene/character of the area, the proposal fronts Lester Avenue. The proposal provides some articulation to this elevation and to be subservient to the original building. The design is considered acceptable.

(vi) Highway implications/parking

- 7.12 Finally with regard to highways/parking matters. The proposal provides three parking spaces and the Highways Engineer has raised no objections in relation to the proposed development. Given that the site is in a relatively accessible area parking for the flats on the basis of one space per flat is considered to be acceptable.
- 7.13 Issues of land ownership and rights of access have been raised in relation to the application. This has resulted in a Certificate B and Notice being served on other land owners. The proposal retains access to the adjoining properties to the east, however, in the circumstances it is considered necessary to impose a condition to require the provision of car parking spaces prior to the occupation of the new flat units. Subject to this requirement it is considered that car parking can be satisfactorily provided.

(vii) Developer Contributions/CIL

- 7.14 The proposed development would result in the creation of an additional 129sqm of residential floorspace and would be subject to a CIL contribution of $129 \times 80 = £10,320$.
- 7.15 The development would also lead to an increase in the number of residents and a consequential potential impact on the protected sites of Chichester and Langstone harbours and their wildlife. A contribution of £381 has been secured towards the Solent Disturbance Mitigation Project.

8 Conclusion

- 8.1 In conclusion the proposed development is considered to be acceptable in principle and would retain the existing retail unit. The development would have an acceptable impact on neighbours residential amenities and provide future residents with an acceptable living environment.
- 8.2 The development would subject to conditions retain important trees which are subject to TPO's and have an acceptable impact on the character and appearance of the street scene. Car parking is provided on site and CIL and SDMP contributions can be secured. Planning permission can therefore be recommended in this case.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/14/00591 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 samples and details of all external facing and roofing materials shall be submitted to and approved by the Local Planning Authority. Thereafter only such approved materials and finishes shall be used in carrying out the development.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 3 The window(s) at 1st floor level in the East facing elevation of the building 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.

- 4 The development shall not be occupied until a minimum of 3 parking spaces have been provided within the curtilage of the site as shown on drawing number 02 and thereafter all of those spaces kept available for such 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.

- 5 The development hereby permitted shall be carried out fully in accordance with the submitted Method Statement and Tree Protection Plan ref: 0719.bjh.June2014.

Reason: To safeguard the continued health of the existing trees which are subject to a tree preservation order in the interests of the character and appearance of the area having due regard to policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 6 No development hereby permitted shall be commenced until a more 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 policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 7 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 brought into use 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 policies CS11, CS16, and DM8 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 a plan and particulars specifying the provision to be made within the site and/or on other land nearby for the parking (throughout the clearance and construction period) of construction vehicles and of other vehicles delivering/removing materials and other items to/from the development site have been submitted to and approved in writing by the Local Planning Authority. Thereafter, throughout such site clearance and implementation of the development hereby permitted, all such temporary parking provision shall be provided and used only as such.

Reason: To safeguard the amenities of the locality and in the interests of traffic safety and having due regard to policies CS16, DM10 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 9 No development hereby permitted nor any related site clearance shall commence until plans and particulars specifying the provision to be made for a material storage compound within the site have been submitted to and approved in writing by the Local Planning Authority. The approved compound shall be available prior to the commencement of any building works and throughout the contract period and no materials shall be stored anywhere else on the site.

Reason: To safeguard the amenities of the locality and in the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 10 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. Unless agreed otherwise in writing by the Authority, the development hereby permitted shall not be brought into use 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.

- 11 The development hereby permitted shall be carried out in accordance with the following approved plans:

Design, Access and Planning Statements received 9th June 2014
Method Statement & Tree Protection Plan Bernie Harveson Ref:
0719.bjh.June2014
Porous Cellular Confinement System BJH. 0719. June 2014
Tree Protection Plan Drawing No. RJH 04
Tree Retentions & Removals Plan Drawing No. RJH 03
Tree Survey and Constraints Plan Drawing No. BJH 01/02
Proposed Plans Drawing No. 02
Proposed Elevations Drawing No. 03

Reason: - To ensure provision of a satisfactory development.