
Site Address:	32 Bedhampton Hill, Havant, PO9 3JW		
Proposal:	Creation of new access, parking area and retaining walls to allow vehicular access from Portsdown Hill Road (revised application).		
Application No:	APP/14/00383	Expiry Date:	05/06/2014
Applicant:	Mr & Mrs Clarke	Team:	Team 1
Agent:	Mr Critchley	Case Officer:	Sally Smith
	Martin Critchley, Architect		
Ward:	Bedhampton		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 A site on the south side of Portsdown Hill Road which currently just has a pedestrian stepped access up the bank from the road. Overgrown rather at present. To the west is an area of ground that then falls away to the car park on what is now the Linden development site - and will have a two storey block of 3 flats in that area. However the boundary bank and screening is intended to remain. To the east is a double garage for the neighbours that is higher than the road and with a the ground raising up to it from the highway. There is also a telegraph pole within the frontage area of the site. Recently trees and shrubbery have been removed from the higher garden level of the site. Access to the site is taken from Bedhampton Hill - along the side of No. 30. The applicant states he has no parking.

2 Planning History

APP/13/00914 - Creation of new access, parking area and retaining walls to allow vehicular access from Portsdown Hill Road. Withdrawn. Concern expressed about the extent of the parking area and the consequent height of the walls. In addition highway safety concerns.

3 Proposal

- 3.1 This proposal modifies the previously submitted proposal. It is now proposed as a 'layby' design with retaining walls and steps which result in less excavation. The wall has a maximum height of 2m at the rear of the parking space although it rises to 2.5m as it steps up to provide a retaining wall for the steps. An amended plan shows the extent of the wall reduced on the western side to improve the visibility with respect to the relationship of the access from the Linden site. The 'layby' has a width of 2.5m which will enable the car to be parked and doors opened without impacting on the highway. There is also a footpath to gain access to the steps which is sloped towards the road. It provides an overall width of 3.5m so should not encourage parking at right angles to the road due to inadequate depth.
- 3.2 With respect to ownership Land Registry plans show no owners registered for part of the frontage land where the layby is proposed. In practice in this area the proposal clears the site and hard surfaces it and includes part of the retaining wall on the east side. There is no construction of other structures. The applicant has completed Certificate D and entered the required Notice in the paper.

4 Policy Considerations

National Policies

NPPF

Core Strategies 2011 forming part of the HBLDF

CS16 (High Quality Design)
CS20 (Transport and Access Strategy)
DM13 (Car and Cycle Parking on Residential Development)

Saved Policies of HBDWLP 1996 - 2011 forming part of HBLDF

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Development Engineer - He would prefer that the parking layby can be seen by vehicles emerging from the Portsdown Retail park (Linden site) entrance when looking south (actually east.) This amendment has been made.

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: 11

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 3

Summary:

1. Confirmation requested that the applicant has title to the land. He has included a strip of land adjacent to the garage the ownership of which is unclear. Without this 'land grab' there is not thought to be sufficient space to create the off street parking. (Note: the correct planning procedure has been followed with respect to entering notice in the newspaper and submitting certificate D.)

2. The layby is too close to a traffic island and drivers travelling west get blinded by the low sun. Combined with the increased traffic expected from the Retail park this is thought to create a highway safety issue for both road users and the residents of 32 when they pull in and out of the space.

3. It is considered the applicant has parking to the front of 32 Bedhampton Hill. Unnecessary to provide more parking when there is a safety hazard. (note: The agent has confirmed that the parking referred to is used by 30 Bedhampton Hill)

4. The two garages belonging to 5 and 7 Portsdown Hill Road are adjacent and there is concern they could be adversely affected by the groundworks and effect their stability. Acceptance of liability by the applicant will be required (Condition proposed requiring a construction method statement)
5. Concern that the access from Bedhampton Hill is to be cut off. (This is not the case)
6. The rear garden is now an eyesore and the garden should be landscaped on completion.
7. More logical to widen the existing access from Bedhampton Hill and provide parking from that access. (This would require land in the plot of 30)
8. There is a telegraph pole that needs moving to accommodate the proposal. (This is a private matter for the applicant to arrange)

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) Highway considerations
- (iii) Effect on character and appearance of the area
- (iv) Effect on neighbours' amenity.

- (i) Principle of development

- 7.2 The principle of undertaking the development is acceptable subject to the consideration of detailed development policies and considerations. The matter of ownership has been raised by neighbours but the correct notice and certificate procedure has been followed. Whilst neighbours do not think the applicant owns the frontage area to Portsdown Hill Road no evidence has been submitted to challenge the papers from the land registry and to prove title.

- (ii) Highway considerations

- 7.3 On the basis of the 'layby' design now proposed and the western end not including a wall so that visibility on that side is not compromised the Development Engineer finds the proposal acceptable. The agent has confirmed that there is no other parking for the plot. There are a number of other access points and 'laybys' for private parking on the south side of the road so on the basis that the design does not require reversing onto the highway it is considered acceptable as proposed. Providing a single space is considered acceptable.

- (iii) Effect on character and appearance of the area

- 7.4 There are a number of laybys for parking with retaining walls provided by a mixture of approaches from rendered walls to the use of large railway sleepers. The proposal to have a brick wall is considered acceptable as the height of 2m will not look

incongruous when viewed against this other mix of approaches. As the scheme is amended from the earlier submission it is not so extensive with the extent of excavation that it would be detrimental to the appearance of the road. A comment has been made regarding the condition of the garden but this is at a higher level than the road and is not in the public view. The neighbour is in Pennant Hills and so looks down on the site as is more aware of the work that has taken place in the upper garden level. It is not thought justified to require a landscaping scheme for the applicant's garden as it is the wall and steps that will be in the public domain.

(iv) Effect on neighbours' amenity.

- 7.5 The issue of ownership has been addressed at (i) above and the appearance of the garden at (iii). The other main issue that has caused concern is the stability of the area to be retained during the period of construction. It has been agreed with the agent that the preparation of a Method Statement is the best way of addressing this issue. A condition has therefore been proposed.

8 Conclusion

- 8.1 It is considered that the proposal is acceptable and will provide a parking space without being detrimental to highway safety or amenity considerations. The provision of the layby removes an area of land that 'restricts' the view along the Road. With the area hard surfaced and now the extent of the walling has been reduced visibility related to the Linden development site will infact be improved from the current situation. The concerns with the development process and stability have been addressed by a condition requiring a method statement. On this basis the scheme is considered acceptable. The correct process with respect to the unknown ownership has been followed. If evidence can be produced of ownership by a third party then this is a private matter. The proposal is therefore considered to meet the requirements of CS16 and CS20.

9 **RECOMMENDATION:**

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/14/00383

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 walls hereby permitted shall not commence until samples and details of all external facing 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 No development hereby permitted nor any related site clearance shall commence until a Method Statement detailing the method of construction and the measures to prevent the collapse of adjacent ground or damage to adjacent structures within or adjoining the site through implementation of the same has been submitted to and approved in writing by the Local Planning Authority. All preventative measures forming part of such approved specification shall be undertaken and fully adhered to at all times when such implementation is in progress.

Reason: To safeguard 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 The development hereby permitted shall be carried out in accordance with the following approved plans:

Application form

Location Plan 1343- 201

Block Plan 1343-202A

Existing Site Plan 1343-203 0

New Access Detail Plan 1343-206 A

Street Elevation (North) 1343-403 A

New Access Cross Section (East) 1343-503 A

New Access Cross Section (West) 1343-504 0

Reason: - To ensure provision of a satisfactory development.