
Site Address:	26 Leigh Road, Havant, PO9 2ET		
Proposal:	Construction of 1No. 4 bed detached house and garage with access from Leigh Road.		
Application No:	APP/14/00244	Expiry Date:	06/05/2014
Applicant:	Mr M Patterson	Team:	Team 1
Agent:	Mr Paul Nicholson	Case Officer:	David Eaves
	Paul Nicholson Design		
Ward:	St Faiths		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The site lies to the east of Leigh Road close to the junction with Lavant Drive. An access has been provided to serve this application site and its adjacent neighbour which is subject to a separate application for a substantial extension to an existing dwelling.
- 1.2 There is currently a single residential property set towards the rear of the adjacent site that dates from the 1960s/70s and is understood to have been occupied in association with the historic use of the adjacent site as a school. The property has in recent times been unoccupied and has suffered from vandalism and fire damage. This site forms part of the garden of this property.
- 1.3 The site and its adjacent neighbour is bounded by two large Horse Chestnut Trees which are subject to Tree Preservation Orders. Leigh Road itself is tree lined to the road frontage and has an attractive tree lined character.
- 1.4 To the rear (east of the site) is a Community Clinic Health facility, with associated car parking to the north and east of the property.

2 Planning History

APP/14/00242 Extensions to, and remodelling of existing building to create a 4 bedroom dwelling house with accommodation at second floor level within a raised and re-orientated roof. Detached double garage to front. Current application.

3 Proposal

Construction of 1No. 4 bed detached house and garage with access from Leigh Road.

4 Policy Considerations

National Policies

National Planning Policy Framework 2012

Core Strategies 2011 forming part of the HBLDF

- | | |
|------|---|
| CS11 | (Protecting and Enhancing the Special Environment and Heritage of Havant Borough) |
| CS16 | (High Quality Design) |

CS17	(Concentration and Distribution of Development within the Urban Areas)
CS20	(Transport and Access Strategy)
CS21	(Developer Requirements)
DM10	(Pollution)
DM11	(Planning for More Sustainable Travel)
DM13	(Car and Cycle Parking on Residential Development)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Design Guide SPD

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist: (for both current applications)

Both trees are showing signs of decline suffering phytophthora and as such their Safe Useable Life Expectancy is greatly reduced.

As such these trees should not be considered a constraint to development (excluding one tree outside the curtilage).

The AMS and TPP is considered adequate in these circumstances and as such there is no objection to the project.

Two Horse Chestnuts - Standards must be planted to ensure sustainability on site and the area.

The AMS and TPP must be conditioned and the trees should be monitored for any signs of stress and/or decline.

Should these trees fail there are concerns over Health and Safety and the highway.

Access Comments:

Whilst the driveway to the site is relatively steep the fall has been re-graded by recent access works and is now shallower. Beyond the drive the site is relatively flat with car parking provided adjacent to the property. The Design and Access Statement confirms that the proposal will meet the requirements of Part M of the Building Regulations. A level access can be provided into the building.

Building Control:

No comments received.

Development Engineer:

No adverse on this comment subject to a condition stating. The buildings shall not be re-occupied before the proposed access and the crossing of the highway verge and/or footway is constructed and laid out in accordance with details to be submitted to and approved in writing by the Local Planning Authority. These details shall include dropped kerb specifications, surfacing/edging materials and drainage to prevent discharge of water onto the highway. The access shall thereafter be constructed fully in accordance with the approved details.

Crime Prevention -Minor Apps:

No comments.

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: 5

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 3

Summary:

Highway safety issues associated with new access and its use.

Reasonable plan that will enhance the road.

High traffic speed and increased traffic

Children use route to school

Lack of privacy for occupants overlooked by clinic

Gravel drive unsuitable and would create road hazard.

Comment:

The drive surface has been amended to a solid surface and a condition in relation to materials is recommended. The Development Engineer has raised no objection to the application on highway safety grounds.

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 and appearance of the area
- (iii) Effect on neighbouring properties
- (iv) Effect on residential amenity (future occupants)
- (v) Effect on trees
- (vi) Highway and car parking issues
- (vii) Developer contributions

- (i) Principle of development

7.2 The site lies within the built up area as defined in the proposals map of the Local Plan (Core Strategy). The proposal is to provide a new 4 bed dwelling. Such proposals are considered acceptable in principle within the built up area subject to other development control criteria considered below.

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

7.3 The proposed building would be set back from the road and would be a substantial 4 bed dwelling. The building would have a traditional design incorporating a front gable

feature, pitched roof and a mix of materials including knapped flint, brick, render and concrete tiles. The plot width would be approximately 14.4m, this would be consistent with plot widths further south on the eastern side of Leigh Road (approx. 15m width) and wider than those on Leigh Road opposite the site which are just over 10m wide. The plot depth at approximately 25m is much less than properties to the south (81m) and those to the west (37- 55m), however this would not be readily apparent from the street scene or public view. As the site backs onto a Community Clinic it already has a different character to the properties to the south. The proposed dwelling is considered to have an acceptable appearance in its context.

- 7.4 The proposal would retain important frontage trees and a condition is proposed in relation to landscaping and additional tree planting. Subject to these requirements it is considered that the proposals would have an acceptable impact on the character and appearance of the area.

(iii) Effect on neighbouring properties

- 7.5 The main properties affected by the proposals are considered to be No.24, 31 and 33 Leigh Road and the Community Clinic in Lavant Drive.
- 7.6 The property would be adjacent to the bungalow at No.24 which has a garage set closest to the proposed dwelling and is set further from the road than the proposed dwelling. The proposed dwelling would have only 1 ground floor window serving the kitchen facing south towards No.24. These would be no direct overlooking from the side or rear windows proposed to this property. The property is also located to the north of No.24 and there would be no significant impact on light. This relationship is therefore considered to be acceptable.
- 7.7 The properties opposite at 31 and 33 Leigh Road are bungalows located to the western side of Leigh Road with significant trees and other vegetation between. The proposed single storey garage would be set closest to the road with the proposed dwelling set back. Given the distances between the proposed dwelling and the bungalows, the road between and the trees, the impact of the proposals on these properties are considered limited and acceptable.
- 7.8 The site backs onto the Oak Park Community Clinic site. This is a non residential clinic and the car park for the facility is set closest to the application site. The proposed dwelling would have 3 first and a second floor windows facing the clinic. The most directly facing part of the clinic building is set approximately 33m off the rear of the application site and has first floor windows facing at an angle. Given the separation distances it is not considered that the proposals would have a harmful impact on the operation of the Community Clinic.
- 7.9 Finally it is necessary to consider the impact on the proposed extended dwelling to the north (subject to a separate current planning application). There are no windows proposed to the first or second floors that would overlook the adjacent property. It is considered that the proposals would have an acceptable impact in terms of mass and bulk and would complement the extended dwelling proposed.

(iv) Effect on residential amenity (future occupants)

- 7.10 The proposal would result in the division of the plot into two and therefore a reduced garden area for the proposed property. The siting of the building is unusual as it is located relatively near to the rear of the plot. The garden is therefore provided to the

side, rear and front of the dwelling. This does not meet the normal requirements of the Havant Borough Design guide, however the plot remains relatively large (approx 371sqm) and provides a reasonable area around the building which can be used for private amenity space. It would be difficult in my view to justify a refusal of planning permission based on inadequate residential amenities for future occupants.

(v) Effect on trees

- 7.11 With regard to the effect on trees, there are two significant Horse Chestnut trees adjacent to the frontage of the site, these are subject to Tree Preservation Orders. The application includes an Arboricultural Report with Arboricultural Method Statement and tree protection methods and the Councils Arboricultural Officer has considered the proposals. The main impact of the proposal would be from the proposed garage. It is therefore appropriate to ensure that suitable tree protection conditions are imposed including a condition to ensure that the Method Statement and Tree Protection are implemented. The Horse Chestnut trees are understood to be in long term decline and it is important to require new planting by condition to secure the long term future tree lined character of the road. Subject to these conditions the impact on trees is considered to be acceptable.

(vi) Highway and car parking issues

- 7.12 The proposal results in an access from Leigh Road to serve this property and the adjacent plot (subject to a separate current application). Concern has been raised about the access on the other application and its proximity to the junction with Lavant Drive. The Development Engineer has considered the proposals and has confirmed that the access is acceptable in principle subject to the imposition of a suitable condition. This would ensure that the access meets the appropriate highway specification and is designed to reduce water flowing onto the road.
- 7.13 Car parking would be provided within the double garage and on the driveway in front to allow parking for four cars. This exceeds the requirements for a four bed dwelling within the adopted Havant Borough Residential Parking and Cycle Provision Supplementary Planning Document.

(vii) Developer contributions

- 7.14 The development would result in a requirement for CIL contributions. Based on the developers assessment of the proposed floorspace the contribution would be £16,360.

8 Conclusion

- 8.1 In conclusion, the proposed dwelling is considered acceptable in principle and would have an acceptable impact on the character and appearance of the area and the amenities of neighbours. There would be acceptable amenities for future residents and the impact on trees can be suitably mitigated by the imposition of planning conditions. The access is considered acceptable to serve this and the adjacent proposed development. Planning permission can therefore be recommended.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **GRANT**

PERMISSION for application APP/14/00244

(A) 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 buildings 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 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 detailed soft landscaping scheme for all open parts of the site not proposed to be hardsurfaced (which shall include the provision of a Horse Chestnut tree standard close to the site frontage with Leigh Road) 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.
- 4 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.

- 5 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.
- 6 No development hereby permitted nor any related site clearance shall commence until a specification of measures to be undertaken to prevent deposition on nearby roads of mud and spoil from vehicles leaving the site throughout the implementation of the same has been submitted to and approved in writing by the Local Planning Authority. All measures forming part of such approved specification shall be undertaken and fully adhered to at all times when such implementation is in progress.
Reason: In the interests of traffic safety and having due regard to policies CS16, CS20 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 7 The garage 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 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.
- 8 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no additional windows / doors or other openings shall be constructed within the north facing elevation without the prior written approval of the Local Planning Authority.
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.
- 9 The dwelling hereby permitted shall not be occupied before the proposed access and the crossing of the highway verge is constructed and laid out in accordance with details to be submitted to and approved in writing by the Local Planning Authority. These details shall include dropped kerb specifications, surfacing/edging materials and drainage to prevent discharge of water onto the highway. The access shall thereafter be constructed fully in accordance with the approved details.
Reason: In the interests of highway safety and having due regard to policies CS16 and CS20 of the Havant Borough Local Plan (Core Strategy) 2011 and

the National Planning Policy Framework 2012.

- 10 The development shall not be brought into use until a minimum of 3 parking spaces (including the two garage spaces) have been provided within the curtilage of the site 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.
- 11 The development hereby permitted shall not take place other than in accordance with the Arboricultural Method Statement and Tree Protection Plan hereby approved.
Reason: To avoid damage to existing significant trees and in the interests of the character and visual amenities of the area having due regard to policies CS11, CS16 and DM8 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy framework 2012.
- 12 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.
- 13 This permission does not authorise any works to any tree subject to a Tree Preservation Order which would require the separate consent of the Local Planning Authority.
Reason: To ensure that the important trees are protected from inappropriate works in the interests of the character and appearance of the area and the health of the trees 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.
- 14 This permission shall only be implemented in combination with planning permission reference APP/14/00242 insofar as it relates to the provision of the access and driveway/turning areas and shall not be carried out separately from this permission.
Reason: The development is reliant on the adjoining application to provide an acceptable layout and adequate access and having due regard to policies CS16 and DM11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 15 Prior to the occupation of the development a Post Construction Certificate shall be submitted to the Local Planning Authority. The Certificate shall state that the development has attained a minimum standard of Level 3 of the Code for Sustainable Homes, unless otherwise agreed in writing by the Local Planning Authority.
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.

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

Design and Access Statement February 2014
Arboricultural Report January 2014
Location Plan Drawing Number 0213/LP
Proposed Layout Drawing 0213/08 Rev A
Elevations Drawing Number 0214/04
Proposed Garage Drawing Number 0213/10
Ground Floor Drawing Number 0214/01
First Floor Drawing Number 0214/02
Second Floor Drawing Number 0214/03
Section Drawing Number 0214/05

Reason: - To ensure provision of a satisfactory development.