
Site Address: 8 Langstone Road, Havant, PO9 1RE
Proposal: Variation of Condition 11 and 12 of Planning Permission APP/13/00315 to allow for removal of highway tree to facilitate construction of new vehicular access.
Application No: APP/14/00331 Expiry Date: 10/06/2014
Applicant: Mr Belcher Team: Team 1
 Vivid Surveyors
Agent: Mr Holman Case Officer: Heather Lealan
 Holman Reading Partnership
 llp
Ward: St Faiths

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 No. 8 Langstone Road is a large house that was set in substantial grounds. However, the plot has been recently divided in accordance with Planning Permission APP/13/00315
- 1.2 The site, which is located approximately 400m south of the A27, lies within a primarily residential area, adjoining the residential cul-de-sacs of Brookmead Way to the north and The Mallards to the south. The existing house, Southbrook, is a large Victorian dwelling house constructed of sand coloured brick with a slate roof. The dwelling house is located to the north of the site, with the remaining garden area to the southern site section.
- 1.3 The overall site including construction site is bounded by a mixture of fencing, walling and hedging, and supports a number of mature trees which are covered by a Tree Preservation Order.

2 Planning History

05/55345/013

Erection of 14 No. dwellings comprising of 6 No. 2 bed flats and 8 No. 3 bed dwellings with associated car parking, bin and cycle storage and new vehicular access to Brookmead Way and The Mallards. Felling and pruning of trees the subject of TPO 1060.
Permitted 21/02/2006.

05/55345/011

Relief from Conditions 1 and 2 of Planning Permission 99/55345/004 for the construction of 10 No. 4 bed dwellings, associated works to trees covered by TPO 1060 and new vehicular accesses onto The Mallards and Brookmead Way, to allow for an increase in the time allowed for the commencement of development.
Not proceeded with.

00/55345/005

Variation of condition of Planning Permission 96/55345/002 dated 28/11/1996 to extend the period for the commencement of development from 5 years to 8 years from

the date of permission (Condition 1) and to extend the period for the submission of reserved matters from 3 years to 6 years from the date of grant of permission.
Permitted 14/02/2002.

99/55345/004

Renewal of outline Planning Permission 96/55345/002 for the construction of 10No. 4 bed dwellings, associated works to trees covered by TPO 1060 and new vehicular accesses onto The Mallards and Brookmead Way.
Permitted 02/05/2002.

96/55345/002

Outline application for the construction of 10No. 4 bed dwellings, associated parking, associated works to trees covered by TPO 1060 and new vehicular accesses onto The Mallards and Brookmead Way.
Permitted 28/11/1996.

90/55345/000

Outline application for 7No. detached houses and 2 blocks of 2 storey flats comprising 12No. 2 bed flats with associated road and site works.
Permitted 01/11/1990.

APP/11/00006

outline consent for the conversion of the existing building (Southbrook), including the construction of a two storey extension to provide 8No. apartments, comprising 7No. 2 bed and 1No. 1 bed. The application also proposed the construction of a new building to the south of the existing dwelling house comprising 6No.2 bed apartments
Permitted 28/02/2011

APP/12/01271

Erection of 2No. 5 bed detached dwellings with garages & associated parking with new access to existing dwelling. Refused for the following reasons;

1. The proposed first floor windows on the western elevation of both of the proposed dwellings are likely to give rise to direct overlooking of adjacent properties to the west to the detriment of the amenities of the occupants of these properties. The proposal is therefore contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

2. The layout and siting of the proposed development would result in a tree important in the local landscape and subject to a Tree Preservation Order being located such as to have an excessive and over-bearing impact on amenities otherwise enjoyed by occupiers of the development, thereby putting at undue risk the long term conservation of the tree. It is therefore contrary to policy DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012

3. The proposal, without completion of the appropriate binding arrangements to secure a contribution towards the Hampshire County Council Transport Policy, is contrary to the Council's Policy on contributions towards transport infrastructure which seeks to ensure that the provision is made from new development towards improvements to the transport infrastructure. It is therefore contrary to policies CS21 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012

4. On the basis of the limited information available to the Local Planning Authority it is

not considered that the proposed development reflects the Borough's housing requirements and the need to make best use of land within the urban area. The details submitted with the application do not justify or sufficiently explain the reasoning behind the reduction in planning units from an apartment block of six dwellings, (as per extant Planning Permission APP/11/00006), with two detached dwellings in a manner whereby it can be deemed compliant with the policies of the Local Plan. The proposal is therefore contrary to policies CS9 and CS17 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

APP/13/00315

Erection of 2No. 5 bed detached dwellings with garages and associated parking with new access to existing dwelling. (Revised application). permitted and under construction

3 Proposal

Variation of Condition 11 and 12 of Planning Permission APP/13/00315 to allow for removal of highway tree to facilitate construction of new vehicular access. The requirement for this application arose when the highway works were commenced and it was identified that a highway tree had been plotted incorrectly on the plans and the RPA would be within the splay of the highway access. HCC Highways then advised that they would only be satisfied for this tree to be removed if appropriate mitigation planting were proposed.

4 Policy Considerations

National Policies

The National Planning Policy Framework, March 2013

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)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

HCC, Arboricultural Officer -

The arboricultural detail is acceptable to HCC Arboriculture.

Development Engineer -

I have no adverse comment to this application but the Highway Authority must obtain the Permission of the Highway Authority to carry out works on the Highway

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: 32

Number of site notices: One

Statutory advertisement: Not applicable.

Number of representations received: No objections . However an email was received on the 31/03 for the local residents group raising concerns regarding Honey Fungus affecting trees in the area. The applicant was made aware of this matter

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) Protection of Existing Natural Features
- (iii) Parking and Highway implications

(i) Principle of development

7.2 The principle of the new access has been established through previous planning permission this application seeks to vary conditions to allow for the removal of a highway tree to facilitate the construction of the new access. The proposal is therefore in accordance with policies CS9 and CS17 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012, subject to the development management considerations below.

(ii) Protection of Existing Natural Features

7.3 The mitigation planting of two new trees, size and specification as details in submitted letter of the 12 June has been considered acceptable by the HCC Arboriculturalist. As the planting area for these two new trees is outside of the application redline, it should be conditioned that the applicant is to enter into a binding arrangement with HCC to provide the mitigation planting prior to the removal of the agreed tree.

(iii) Parking and highway implications

7.4 The development engineer was satisfied with the access and parking arrangements .

8 Conclusion

8.1 It is considered that the variation of condition to allow the removal of the highway tree is acceptable so long as the permitted details are conditioned.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/14/00331 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 The highway tree to be felled shall not be removed until binding arrangements have been entered into with Hampshire County Council to secure the provision of replacement planting in accordance with the approved details as specified within letter dated 12 June 2014, reference D1416AQIAL2 and submitted layout plan drwg.no 8299 32 received 26 March 2014.
Reason: To conserve and safeguard the visual amenities of the locality and having due regard to policies CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 3 Except to the extent approved by this application, in all other respects the development approved under Planning Permission APP/13/00315 shall be carried out in strict accordance with the Arboricultural Impact Assessment and Method Statement prepared by Derek Patch MSc ND Arb (RFS) Arboricultural Consultant, received by the Local Planning Authority on the 5 April 2013 and submitted in connection with Application APP/13/00315.
Reason: To ensure the trees are not adversely affected by the construction of the development and having due regard to policy DM8 of the Havant Borough Local Plan (Core Strategy) and National Planning Policy Framework, March 2012.
- 4 The development hereby permitted shall be carried out in accordance with the following approved plans:

Proposed Layout Plan drwg.no 8299 32 received 26 March 2014
Alderwood Consulting Limited specifying letter ref D1416AQIAL2 dated 12 June 2014

Reason: - To ensure provision of a satisfactory development.