
Site Address: Land adjacent to 43 Serpentine Road, Widley,
Waterlooville, PO7 5EE

Proposal: Proposed 1No. detached 2 bed dwelling with associated refuse and cycle store, parking and landscaping on land to the side of 43 Serpentine Road.
(Resubmission)

Application No: APP/19/00467

Expiry Date: 04/07/2019

Applicant: Mr Turvey

Agent: Mr C Flint

Case Officer: Bee Crawford

Chris Flint Associates Ltd

Ward: Purbrook

Recommendation: **REFUSE PERMISSION**

1 Site Description

- 1.1 The application site is the side garden of a two storey end of terraced property with an attached garage, situated on the corner of Serpentine Road and. Elevations are of red multibrick and pebble dash render. The site is level although there is a slight east/west incline in the road. It is open to all boundaries and is currently grassed, although it does not appear to be used as amenity space for the adjoining property.
- 1.2 The adjoining two storey terraced property is to the west, the front aspect of two storey terraced and semi-detached properties are to the east, a pair of two storey semi-detached properties are opposite and the side aspect of a two storey semi-detached property is to the rear. The area is of medium density with two storey terraced and semi-detached properties and semi-detached chalet style properties of a similar and different age, style and design.

2 Planning History

APP/18/01223 - 1No. detached 3 bed dwelling with associated refuse and cycle store, parking and landscaping, withdrawn, 06/03/2019.

3 Proposal

- 3.1 The proposal is for the construction of a 1 No. detached 2 bed dwelling with associated refuse and cycle store, parking and landscaping on land to the side of 43 Serpentine Road. (Resubmission).

4 Policy Considerations

National Planning Policy Framework

Havant Borough Council Borough Design Guide SPD December 2011

Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

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)
CS21	(Developer Requirements)
CS9	(Housing)
DM13	(Car and Cycle Parking on Residential Development)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
DM18	(Protecting New Development from Pollution)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Building Control, Havant Borough Council

Proposed dwelling may be within 3m of foul water public sewer shown on GIS map of sewers. Consultation should be carried out with Southern Water

Community Infrastructure, Planning Policy & Urban Design

CIL Liable: <http://www.havant.gov.uk/community-infrastructure-levy-charging-schedule>

Additionally, instructions should be passed by the Case Officer to the CI Team to issue the Solent Recreation Mitigation Strategy (SRMS) Unilateral Undertaking, based on the number of net additional dwellings and their respective number of bedrooms. See <http://www.havant.gov.uk/unilateral-undertaking-solent-recreation-mitigation-strategy>

No SRMS was paid under withdrawn application APP/18/01223.

Crime Prevention -Minor Apps

No response received.

Developer Services, Southern Water

The exact position of the public foul sewers must be determined on site by the applicant before the layout of the proposed development is finalised.

Please note:

- No development or new tree planting will be allowed to be located within 3 meters on each side of the external edge of the public sewer.
- No new soakaways should be located within 5m of a public sewer.
- All existing infrastructure should be protected during the course of construction works.

In order to protect drainage apparatus, Southern Water requests that if consent is granted, a condition is attached to the planning permission. For example "The developer must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to protect the public sewers, prior to the

commencement of the development.

Furthermore, due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers, it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk or by email at developerservices@southernwater.co.uk.

Southern Water requires a formal application for a connection to the foul and surface water sewers to be made by the applicant or developer. We request that should this application receive planning approval, the following informative is attached to the consent:

A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructure-charges>.

It is the responsibility of the developer to make suitable provision for the disposal of surface water. Part H3 of the Building Regulations prioritises the means of surface water disposal in the order:

- a Adequate soakaway or infiltration system
- b Water course
- c Where neither of the above is practicable sewer

Officer comment: *These matters could be dealt with by an informative and condition as per Southern Water's request. With regard to the discharge of surface water, given that this is an application for a dwelling, it is considered that this issue is a matter for the Building Regulations. Notwithstanding this, the recommendation is to refuse planning permission.*

Hampshire Highways

I note from your files the subject of stopping sight distance was raised and the applicant has now provided a drawing titled Traffic Arrangements. On this drawing the bend in Serpentine Road is not shown as a curve, but a series of straight lines and the width of the road is shown at less than 5m. I have measured the road width on the approach to the bend and found it to be 5.5m. There is a straight line across the bend, which is presumed to show the stopping sight distance and labelling of "forward braking distance of 14m. @ 30 MPH we are able to show 15m. of visibility". Referring to Manual for Streets these distances equate to 12 MPH adjusted for bonnet length and 15 MPH without bonnet length adjustment respectively. Clearly neither are for 30 MPH. That said, the area forward of the line is considered to be reasonable from the highway point of view and therefore I can confirm the Highway authority have no

objection subject to the following conditions:-

1. Prior to occupation the area forward of the "visibility line" shown on the Traffic Arrangements drawing shall not have anything, planted, placed, grown or constructed such that its height is greater than 0.6m. above the adjacent carriageway level.
2. Prior to occupation the area shown on the approved plan shall be provided and surfaced in a non-migratory material, the area shall be reserved for this purpose at all times.

Note to Applicant

1. Before undertaking any work which affects a public highway (including a public right of way) you must obtain specific written approval from the Director of Economy, Transport and Environment at Hampshire County Council and enter into or secure any necessary legal agreements or consents to enable the works on a public highway to proceed. It is an offence to carry out unauthorised works on a public highway. This requirement applies not only to the creation of new vehicle accesses involving excavation within a footway, verge or carriageway but also to the stopping of existing access(es) or other works on or to the public highway. For further information, please contact highways.development.control@hants.gov.uk

Officer Comment: Notwithstanding the above comments and suggested conditions, the recommendation is to refuse planning permission.

Natural England Government Team

Further Information Required - Deterioration of the water environment

The application site is within 3km of the Solent Maritime Special Area of Conservation (SAC) and Chichester and Langstone Harbours Special Protection Area (SPA). With regard to the integrity of the designated sites, we advise that there is currently uncertainty as to whether the increase in waste water from new housing in the Solent catchment will have an adverse effect on the international sites.

There is existing evidence of high levels of nitrogen and phosphorus in the Solent water environment with evidence of eutrophication at some designated sites. The Partnership for Urban South Hampshire (PUSH), Natural England (NE), and Environment Agency (EA) have been jointly working to develop an Integrated Water Management Strategy (IWMS). This examines the potential for the PUSH region to accommodate future housing growth without having a detrimental effect upon the water environment. A Water Quality Working Group has been set up to identify and analyse the existing evidence gaps and evaluate the need for strategic mitigation measures. However, there is currently uncertainty as to whether there is sufficient capacity to accommodate the new housing growth.

The proposal comprises new housing development and has inevitable waste water implications. It is Natural England's view that these implications, and all other matters capable of having a significant effect on designated sites in the Solent, must be addressed in the ways required by Regulation 63 of the Conservation of Habitats and Species Regulations 2017.

It is Natural England's view that there is a likely significant effect on the internationally designated sites (SPA, SAC, pSPA) due to the increase in waste water from the new housing. As you are aware, where there is a likelihood of significant effects (excluding

any measures intended to avoid or reduce harmful effects on the European site), or there are uncertainties, a competent authority should fully assess (by way of an “appropriate assessment”) the implications of the proposal in view of the conservation objectives for the European site(s) in question. Appropriate assessments cannot have lacunae and must contain complete, precise and definitive findings and conclusions capable of removing all reasonable scientific doubt as to the effects of the works proposed on the protected site concerned. Complete information is required to ensure that the proposal will not affect the integrity of the international sites.

Natural England advises that the waste water issue is examined within the appropriate assessment and that the existing nutrient and conservation status of the receiving waters be taken into account. LPAs will be aware of recent CJEU decisions regarding the assessment of elements of a proposal aimed toward mitigating adverse effects on designated sites and the need for certainty that mitigating measures will achieve their aims. The achievement of nutrient neutrality, if scientifically and practically effective, is a means of ensuring that development does not add to existing nutrient burdens. Natural England has prepared a methodology setting out how this can be achieved and this is attached for your information. It is appreciated that this may be difficult for smaller developments or developments on brownfield land. Natural England has advised that your authority set up an interim approach that developments can contribute to thereby ensuring that this uncertainty is fully addressed by all applications. Natural England is working closely with affected local planning authorities to help address this issue. Natural England can also provide further advice to the applicant on mitigation options under our Discretionary Advice Service. Please note we advise that the competent authorities to whom Natural England gives its statutory advice on the environment will need to seek and rely upon their own legal advice on the interpretation of the Habitats Regulations and case law.

Solent Recreation Mitigation Strategy – no objection subject to condition

This application is within 5.6km of Chichester and Langstone Harbours SPA and will lead to a net increase in residential accommodation. Natural England is aware that Havant Borough Council has adopted a planning policy to mitigate against adverse effects from recreational disturbance on the Solent SPA sites, as agreed by the Solent Recreation Mitigation Partnership (SRMP).

The Appropriate Assessment has taken this into consideration, therefore, providing the appropriate mitigation is secured by any approval, Natural England are satisfied that the applicant has mitigated against the potential adverse effects of the development on the integrity of the European site, and has no objection to this aspect of the application.

Species and Biodiversity Enhancement

Natural England refer your authority to our national standing advice for protected species. As standing advice, it is a material consideration in the determination of the proposed development in this application in the same way as any individual response received from Natural England following consultation and should therefore be fully considered before a formal decision on the planning application is made. It is a requirement of all development to enhance the natural environment, as stated in the NPPF (2018 as amended), paragraph 109. Natural England recommend that an appropriate level of enhancement, such as the addition of bat boxes and/or bird boxes, are secured as part of this application.
<https://www.gov.uk/guidance/protected-species-and-sites-how-to-review-planning-proposals>.

Officer Comment: Notwithstanding the above comments and further requirements, the recommendation is to refuse planning permission. The SRMS payment has been received, although at the time this report was written the signed Unilateral Undertaking had not been returned.

Portsmouth Water Company

Site setting

The site is located in Source Protection Zone 1c (SPZ1c) for the Havant and Bedhampton springs; an essential public water supply source. The SPZ1c relates to subsurface activity only, where the Chalk aquifer is confined and may be impacted by deep drilling activities. Subterranean activities such as drainage solutions and/or piling may pose a risk to groundwater quality and our supply at Havant and Bedhampton Springs.

Portsmouth Water's Position

Portsmouth Water does not object to the development in principle. However, due to its location the developer needs to consider risks to groundwater and our supply at Havant and Bedhampton Springs.

Drainage

The proposed drainage strategy for surface and foul water is to existing and new main sewers, this is acceptable to Portsmouth Water in relation to groundwater protection. Portsmouth Water require the use of the highest specification pipework and designs for schemes involving new sewerage systems in SPZ1 to minimise leakage. Portsmouth Water have no further comments on surface and foul water drainage for the site.

Piling & Foundations

Portsmouth Water would have a presumption against piling at this location if the piles penetrate the full depth of the Clay cover. We would have no objection to piled foundations that terminate within the Clay cover; in this instance we would expect a piling risk assessment and method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, vibration and the programme for the works) to be submitted to and approved in writing by the local planning authority in consultation with Portsmouth Water.

Any piling, if proposed, must be undertaken in accordance with the terms of the approved piling method statement.

Reason: Piling or any other foundation designs using penetrative methods can pose a risk to potable supplies from, for example, turbidity, mobilisation of historical contaminants, drilling through different aquifers and creation of preferential pathways.

Officer Comment: Notwithstanding the above comments and suggested conditions, the recommendation is to refuse planning permission.

Public Spaces

No response received.

Waste Services Manager

No response 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: 11

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 3

Comment	Officer Comment
Firstly the location of the proposed development relative to the bend in Serpentine Road, will significantly reduce visibility for road traffic travelling in both directions, on what is already a narrow and challenging bend to navigate even with the current visibility across the corner.	See section 7.
Secondly the proposed development will reduce natural light to those properties to the north and east of the proposed development, negatively impacting the level of light enjoyed in the front rooms of those properties.	See section 7.
Thirdly, the outlook currently enjoyed both up and down Serpentine Road by properties to the north and east of the proposed development will be significantly reduced, making the immediate vicinity un-necessarily claustrophobic and less desirable than the current situation.	See section 7.
Serpentine Road is a narrow road that has cars parking on both sides of the road requiring pedestrians to walk in the road not only on the straight parts but on the corners as well, which is highly dangerous.	See section 7.
This plot is on a corner that has restrictions for cars as it is. There is no "safe" access for this plot and drivers approaching from the Gitsham Gardens aspect will have no chance of seeing entering or exiting vehicles from	See section 7.

this plot. There have been 5 new houses in this road and Gitsham Gardens in the last 25 years and they alone have caused an increase of parked cars and difficulty of access. This proposal will I have no doubt be added to by another plot of land on another corner of Serpentine Road in the future. Unless Serpentine Road is made a one way road, any further housing should be prevented for road and pedestrian safety reasons. I feel that this proposal should be rejected	See section 7. This is not a material planning consideration.
I object to this proposal due to the detrimental effect this development will have on this area on grounds of safety and the effect on daylight, privacy and outlook. HIGHWAY SAFETY AND TRAFFIC This development will seriously affect safety on this busy corner by compromising and restricting the view around this ninety-degree bend. The road is already congested with very limited passing spaces and adding a structure that prevents early warning of approaching traffic will cause further hazards especially to larger vehicles that will then have to reverse dangerously over a considerable distance to enable two vehicles to pass side by side EFFECT ON DAYLIGHT, PRIVACY AND OUTLOOK The proposed development will significantly reduce the natural light currently available to the properties to the East and North of the development having a negative effect on the living conditions and general outlook that these properties currently enjoy. Adding a substantial building that is much closer to these properties than any other structure will change the outlook and privacy to these properties	See section 7. See section 7. See section 7.

and reduce an open space and natural habitat.	
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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 and appearance of the area
- (iii) Impact on Neighbouring Residents
- (iv) Highways and parking
- (v) Developer Contributions

(i) Principle of development

7.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria. The updated NPPF 2019 continues to have a presumption in favour of sustainable development, whilst noting that good design is a key aspect of sustainable development. The creation of high quality buildings and places is a fundamental aim and paragraph 130 notes that *"Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area..."*.

7.3 It should also be noted that the Council has its emerging Pre-Submission Havant Borough Local Plan 2036. Whilst this plan currently has limited weight in decision making, it must be noted that the emerging policies place a greater emphasis on achieving high quality design with particular reference to the standard of living for future occupiers. Emerging policy H1 introduces the nationally described space standards and re-iterates the need for sufficient and functional outdoor amenity space to support physical and mental health and wellbeing. Additionally other relevant emerging policies include E1 High Quality Design, E2 Health and wellbeing and E22 Amenity and pollution.

7.4 A previous application was submitted under APP/18/01223 for a detached two storey three bedroom property, although this was withdrawn following officer concerns regarding the limited amenity area, cramped and congested layout and the impact on the spatial characteristics and appearance of the area.

(ii) Impact on the Character and Appearance of the Area

7.5 The proposed dwelling is situated in a prominent corner location, next to the attached garage of a two storey end of terrace property in a row of four and is of an individual design. The current application has reduced the number of bedrooms to two with a reduction in the overall footprint, although the scheme has not fundamentally changed from the previous proposal .

7.6 The proposal to construct a detached two storey property on the site would have a significant impact on the existing spatial setting. At present, there is a sense of openness on this corner section of Serpentine Road. This spaciousness forms the spatial characteristics of the street scene as Serpentine Road is of relatively limited width and the site is on the corner of a sharp bend in the road. The scheme would eliminate this sense of openness on the corner of the road and would sit noticeably

forward of the front building line of both numbers 41 and 43 Serpentine Road (approximately 1.9 metres at two storey to 41 and 2.4 metres at single storey to 43). It would appear overbearing and have a harmful impact on the visual amenity of the street scene.

- 7.7 The proposed dwelling would have a width of 6.5 metres and a maximum depth of 8.7 metres at ground floor and 6.3 metres at first floor. It would have a hipped and pitched roof with an eaves height of 5.2 metres and ridge height of 7.49 metres. Whilst the proposed ridge height is 0.15 metres lower than the property at 43 Serpentine Road, the eaves height is 0.4 metres higher and it is considered this may appear more noticeable on a dwelling which would be so highly prominent on the corner location and would therefore contribute to the dwelling appearing more contrived and cramped in relation to the existing dwellings.
- 7.8 The main amenity area is to the side of the property. Whilst it has a width of 10.4 metres, the depth is 5.2 metres which does not meet the requirements of the 10 metre recommendation of the HBLP Borough Design Guide. Furthermore the 10.4 metre width runs along the eastern boundary and is directly adjacent to the highway. It is therefore considered that this, together with the limited depth would result in a poor relationship with noise and disturbance that would have an adverse effect on the amenities of future occupiers contrary to policy DM18 of the of the Havant Borough Local Plan (Allocations) 2014 and the NPPF.
- 7.9 Policy CS16, in seeking High Quality Design, requires developments to respect their local context and states specifically at 1.c) that *"Uses the characteristics of the locality to help inform the design of the new development including heights, massing, existing buildings lines, plot widths and depths, materials and proportions of windows and doors;"*. It is considered that the proposed development fails this criteria in that it neither respects the height and mass of surrounding developments, or the building line of the area nor the plot width and depth as its side garden is not characteristic of the surrounding pattern of development. For these reasons, it is therefore considered that the proposed dwelling would result in overdevelopment of the site giving rise to a cramped and congested layout and have an adverse impact on the character and appearance of the area. The development is therefore considered contrary to policies CS16 and DM18 of the Havant Borough Local Plan (Core Strategy) 2011, the Havant Borough Design Guide SPD and the NPPF.
- 7.10 It is noted that planning permission has recently been granted for detached two storey dwellings on two corner plots in the surrounding area. However, the amenity land for both properties included side and rear gardens of a reasonable size and the characteristics of these sites and relationship to neighbouring properties differ from the site which is the subject of this application.

(iii) Impact on Neighbouring Residents

- 7.11 The application site is situated at the end of a row of terraced properties with a fairly regular building line, although there is a ground floor projection of 2.4 metres to accommodate the hallway which is on the eastern side of the development 5 metres from the western boundary. The southern elevation of the proposed property is 0.9 metres back from the line of the neighbouring terrace of dwellings. There is one small ground floor secondary window serving the kitchen on the western elevation. It is considered the impact on this property is unlikely to be harmful and would not result in any overlooking or loss of privacy.

- 7.12 The southern elevation of the property is 1.785 metres from the southern boundary of the site and has one window at ground floor serving the living room and two windows at first floor serving the bathroom and one of the bedrooms. This outlook from the first floor windows would primarily be over the side area of number 43 which is currently used as a parking area and would not significantly increase views into the private rear garden area in this built up residential area and it is considered any resulting impact would not be unacceptable. It is also noted number 41 is set back from the proposal with an approximate distance of 2.7 metres between the western elevations of this property and the proposal. The northern elevation of the property at number 41 is 6.5 metres from the boundary with one small window at first floor which appears to be a landing window.
- 7.13 Concerns have been raised with respect to the potential loss of outlook. Whilst it is acknowledged the proposed dwelling would diminish the open nature of the site there is a distance in excess of 20 metres from the front elevations of the properties to both the east and north. Front gardens are not considered to be a primary amenity area, therefore any perception of loss of privacy would not be unacceptable.

(iv) Highways and Parking

- 7.14 The proposed dwelling has two bedrooms, consequently there would be a requirement for two off road parking spaces. This has been achieved by allocating two spaces to the front, together with cycle storage provision in the garden. The parking and cycle storage provision is therefore considered to be acceptable, meeting the requirements of Policy DM13 of the HBLP (Core Strategy).
- 7.15 Concerns have been raised with regard to highway safety and the resulting impact the proposal would have on visibility. However, following consultation with Highways, confirmation has been received that the traffic arrangements plan is considered to be reasonable and no objection was raised. This was subject to conditions should the application be granted permission.

(v) Developer Contributions

- 7.16 The CIL rates to be applied to development are set out in the Havant Borough Community Infrastructure Levy Charging Schedule, which was adopted by the council on the 20 February 2013. This followed two public consultation exercises and an Examination into the Charging Schedule by an independent Examiner. The Examiners Report concluded that the Havant Borough Council Community Infrastructure Levy (CIL) Charging Schedule provided an appropriate basis for the collection of the levy in the borough. The levy is charged at £80 per square metre (plus indexing) on new floorspace (measured as gross internal area) in Waterlooville.
- 7.17 The proposal would result in new residential development which is Community Infrastructure Levy (CIL) liable and the appropriate forms have been submitted. The gross new internal floor space for the dwelling has been calculated by the agent as 84 sqm which generates a total CIL liability of approximately £9,390.00. The applicant is not claiming self build exemption.
- 7.18 This development would also increase the number of dwellings within the 5.6km zone identified as significant in potentially increasing recreational pressure on the Solent SPA. Natural England's advice in regard all new housing development within this zone is that it is likely to have a significant effect on the SPA. Policy DM24 of the

Allocations Plan, covers this issue and allows for a financial contribution to be made towards mitigation measures. This is currently set at £545 for a 2 no. bedroom dwelling and the contribution has been paid although at the time of the writing of this report the relevant paperwork had not been returned. The proposal therefore accords with Policies CS11, CS21 (Developer Contributions) but not Policy DM24.

- 7.19 The Council has conducted a Habitats Regulations Assessment (HRA) of the proposed development under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, this includes an Appropriate Assessment under Regulation 63. This is included in the case file. The screening under Regulation 63(1)(a) found that there was likely to be a significant effect on Chichester and Langstone Harbours Special Protection Area due to the increase in recreation as a result of the development. However the applicant has not provided a package of avoidance or mitigation measures aimed at removing this significant effect. As a result, the HRA concludes that the planning application would be likely to lead to a significant effect on the Chichester and Langstone Harbours Special Protection Area. The HRA was subject to consultation with Natural England as the appropriate nature conservation body under Regulation 63(3) who have confirmed that they agree with the findings of the assessment. As such, the planning application must be refused as being contrary to Policy DM24 and the Conservation of Habitats and Species Regulations 2017.

8 Conclusion

- 8.1 The proposed size and mass of the new dwelling is considered to be of a design which does not accord with local planning policy in that it would be highly prominent due to its corner location, appear cramped within the confines of the site with limited and unsuitable amenity area and be harmful to the existing character and appearance of the area conflicting with the established pattern of development and spatial characteristics and setting of the street scene. Essential mitigation measures in relation to the development's impact upon the Solent SPA sites have also not been secured.
- 8.2 As such, the proposed development is considered to be contrary to the NPPF, policies CS16, DM18 and DM24 of the Havant Borough Local Plan (Core Strategy) 2011, Havant Borough Local Plan (Allocations) 2014 and the adopted Havant Borough Design Guide SPD 2011 and is therefore recommended for refusal.

9 RECOMMENDATION:

That the Head of Planning be authorised to **REFUSE PERMISSION** for application APP/19/00467 for the following reasons

- 1 The proposed dwelling would by reason of its size, design and prominent siting be harmful to the existing character and appearance of the area conflicting with the established pattern of development and spatial characteristics and setting of the street scene of Serpentine Road. The proposal therefore conflicts with policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, the Havant Borough Design Guide Supplementary Planning Document

2011 and the National Planning Policy Framework 2018.

- 2 The proposed development would not provide satisfactory living conditions for future occupants. The situation of the primary amenity area being directly adjacent to the highway would result in a poor relationship with noise and disturbance that would have an adverse effect on the amenities of future occupiers contrary to policy DM18 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework 2018.
- 3 Without the appropriate mitigation, the development would be likely to have a significant effect on the Chichester and Langstone Harbours Special Protection Area and so is contrary to Policy DM24 of the Havant Borough Local Plan (Allocations Plan) and the Conservation of Habitats and Species Regulations 2017.