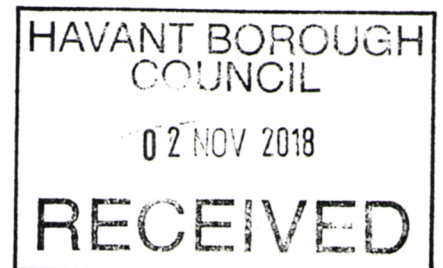


Land to the rear of;

Cranbrook Villa,
Copse Lane,
Hayling Island,
Hampshire.
PO11 0RJ.

Planning Statement

LTROCB/01



Contents

- Site description, context and planning history.
- Policy background.
- The proposed development
- Planning considerations
- Conclusions

Site description context and planning history

1.1

Cranbrook Villa is situated on the South side of Copse lane, a short distance from where it dog-legs southwards leading to the A3023 and within the boundaries of the settlement of Tye.

The boundary of Tye forms a generally triangular area defined by Copse Lane to the North, Woodgaston Lane to the East and a combination of commercial and residential premises to the South.

To the East of the site lies a large detached chalet style bungalow Eventyde and to the West a large detached house Northwood.

1.2

The application relates to the rear part of the Cranbrook Villa Plot which is 37m in length and 22.3m in width, the access to the plot is via an access drive of 38m in length and a width of between 5.6m and 6m that is adjacent to the Western boundary.

This is an existing access which has been in use for many years and served the detached garage of Cranbrook villa.

While there are trees adjacent to the common boundaries of the adjoining plots, there is nothing of distinction within the application site.

An arboricultural assessment has been prepared which examines the the potential constraints that nearby trees would have on the development potential of the site.

Of these trees only one holds a preservation order namely order 0567 a common ash situated within the boundary of Northwood.

1.3

To the South and South West are a caravan/camping park and to the South East Aplant nursery and tea room.

Approximately 300m to the South is a new development currently under construction known a Yacht Haven, a development of six large detached dwellings adjacent to the protected mudflats and Chichester harbour conservation area.

Approximately 300M South West along Copse Lane is an industrial estate containing approximately ten industrial units, eight of which are occupied by local businesses providing local employment opportunities.

1.4

The area of Tye while low lying does not fall within either floodplains 2 or 3 but is approximately 300m from a special protection area and site of special scientific interest.

We would point out that the new development Yacht Haven is adjacent to the SPA and SSSI mentioned above .

The settlement of Tye is of likely medieval origin and although it is unlikely to have any intrinsic archaeological value the applicants would be willing to

undertake an archaeological assessment of the site prior to any works beginning should planning be granted.

1.5

The site forms part of the curtilage of Cranbrook Villa, originally a part single part two storey detached dwelling.

Planning permission was granted under reference APP/15/00378 in April 2016 for the demolition of said dwelling and the construction of a detached five bedroom house with double detached garage.

A subsequent application ref APP/16/00564 for extension of the original house with two storey side and rear extensions was granted permission in August 2016.

A further application was made under ref APP/17/00395 for non material amendment to convert the integral garage to form living accommodation was granted permission in May 2017.

Policy background

2.1

The 'Development Plan' for this site consists of of the Havant Borough Local Plan (Core Strategy), the Havant Borough Local Plan (Allocations) and associated Supplementary Documents.

2.2

The Core Strategy policies relevant to the proposed development are;

C59 Housing

CS11 Protecting and enhancing the special environment and heritage of Havant Borough.

CS16 High Quality Design.

CS17 Concentration and distribution of development within urban areas.

CS21 Developer requirements.

DM8 Conservation, protection and enhancement of existing natural features.

DM9 Development in the coastal zone.

DM13 Car and cycle parking on residential development.

2.3

In addition to the Core Strategy two policies within the Allocations document are material to the consideration of the proposal;

AL1 Presumption in favour of sustainable development.

AL2 Urban area boundaries and undeveloped gaps between settlements.

Supplementary Planning Documents.

2.4

The following SPD's are relevant to the consideration of a proposal for the development of the site;

- Borough Design Guide.
- Housing.
- Parking.

National Planning Policy Framework.

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

The National Planning Policy Framework is a material consideration in planning decisions.

Planning decisions must reflect and where appropriate promote relevant EU obligations and statutory requirements.

2.5

The purpose of the planning system is to contribute to the achievement of sustainable development.

There are three dimensions to sustainable development;

- An economic role-contributing to building a strong , responsive and competitive economy.
- A social role-supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations and by creating a high quality built environment, with accessible local services that reflect the communities needs and support its health, social and cultural well-being and;
- an environmental role-contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

2.6

The government attaches great importance to the design of the built environment.

Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

At Para 9 the framework indicates that pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as peoples quality of life, including (but not limited to) widening the choice of high quality homes.

2.7

Para 47 states that in delivering on the primary objective of section 6 to boost significantly the supply of housing, local authorities should, inter-alia, (a) use their evidence base to ensure that their local plan meets the full, objectively assessed needs for market and affordable housing in the housing market area; (b) identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing requirements with an additional buffer of 5% to ensure choice and competition in the market for land, and (c) for market and affordable housing, illustrate the expected rate of housing delivery through a housing trajectory for the plan period and set out a housing implementation strategy for the full range of housing describing how they will maintain delivery of a five year supply of housing land to meet their housing target.

2.8

This group of provisions provides the context for paragraph 49, central to these appeals and quoted at the beginning of this judgement; and in particular for the advice in paragraph 14 that “relevant policies for the supply of housing” should not be considered “up to date”, unless an authority can demonstrate a five year supply of deliverable housing sites.

2.9

To promote sustainable development in rural areas, para 55 states that housing should be located where it will enhance and maintain the vitality of rural communities.

For example, where there are groups of small settlements development in one village may support services in a nearby village.

Local authorities should avoid new homes in isolated areas in the countryside unless there are special circumstances.

2.10

Having regard to the location of heritage assets in relation to the application site the provisions of section 12 of the NPPF would be material to the proposed development.

Non statutory guidance

2.11

Northney and Tye village design statement was prepared over a three year period culminating in the publication of the document in 2008.

The VDS is generally descriptive in nature , identifying three distinct character areas of which the hamlet of Tye is one.

The aim of the document would appear to be based on the presumption that the character areas are preserved and further ribbon development, which could infill the gaps and thereby dilute the globular settlement pattern, is discouraged.

The Proposed Development

3.1

The applicant proposes to use the existing access on Copse Lane running adjacent to Northwood to access a parking court surfaced in natural permeable material that would wrap around the rear of the property Cranbrook Villa.

To the front of the proposed dwellings would be three car parking spaces per dwelling with turning area to allow entry and exit from the site in a forward gear.

Situated centrally within the site would be a pair of bungalows constructed in a contemporary design with low pitch natural slate roofs.

With regard to the eco impact of the dwellings the developer proposes to utilise the following technologies to further enhance the sustainability and reduce the impact and carbon footprint of the development;

- Natural slate roof coverings
- Lime based renders on the exterior elevations
- Triple glazed external doors and windows
- Natural beech cladding to feature areas on the exterior elevations
- Photovoltaic panels to the side and rear elevations
- Conservation roof lights
- Mechanical ventilation and heat recovery units (MVHR)
- Rainwater harvesting system (under ground storage tank)
- Electric car charging points
- Large glazed areas to bring natural light and heat into the dwellings and provide solar gain.
- Cycle storage facilities within the curtilage of each proposed dwelling.

The low pitch roof design of the dwellings is proposed so as to minimise the impact of of the development on surrounding properties.

Each property will have amenity space to the rear laid to lawn with patio areas along the rear elevations.

Foul drainage would be via the main 150mm sewer that runs across the access drive approximately 15m from the front elevation of the dwellings. It is proposed that suitable planting is undertaken to further screen the development from Cranbrook Villa.

3.2

The developer believes that the proposed development is not only a productive use of vacant land, but also an opportunity to supply the local market a more affordable choice of home in an area dominated by large detached dwellings, a trend to which the local authority seems to favour with the development of schemes such as Yacht Haven and the enlargement and extension of modest dwellings into large exclusive homes.

If these smaller communities are to flourish the opportunity for lower income households to settle in these areas must be provided for.

The developer recognises that alternative means of transport to the internal combustion engine vehicle should be encouraged, hence the inclusion of bicycle storage facilities and the siting of electric car charge points.

The use of the car can further be negated with the use of local community taxi services and bus routes.

Havant Borough Councils website provides information on the following local bus stops;

- Woodgaston Lane S_W bound 90m away
- Woodgaston lane N-E bound 91m away

There are Infant and junior schools situated on Havant Road within a radius of 1.6 miles

and The Hayling College within a 1.9 mile radius, this is served by a school mini bus service that passes the proposed development.

There is a local pub an hotel and health club, a village hall and church all within 1 mile of the property.

Approximately 0.7 miles away at the southern end of Copse lane is Stoke Post Office and general store, there is also a farm shop in this location selling local produce.

There is a Lidl supermarket opening in November 2018 1.7 miles to the South West on the A3023 Havant Rd.

In addition to the above, Havant mainline station is approximately 3.6 miles away with trains direct to London Waterloo, Brighton and Southampton.

Havant also hosts a main bus station.

The A27 is approximately 3 miles away giving direct access to Portsmouth and Southampton to the West and Chichester and Brighton to the East.

The A3M is again approximately three miles distant giving direct access to Guildford and London to the North.

The Hayling Billy cycle and walking route is also easily accessible running from Langstone in the North of the island to West Town in the South.

Planning Considerations

4.1

The determining issues in this case can be divided into six distinct areas;

- Principle
- Design/ character of area
- amenity
- transport
- ecological impact
- trees

The community infrastructure levy would not amount to a determining factor as indicated in the previous pre application response to a proposal for the construction of a large detached house to the rear of Cranbrook Villa.

Principle

Whilst the site falls centrally within the hamlet of Tye , bounded on its South side by farm buildings and commercial offices and on its North East and North West sides by Copse Lane and Woodgaston Lane, Havant Borough Council did not recognise the collection of buildings as a settlement for the purposes of policy AL2, instead drawing tight boundaries around Northney to the North and an area of housing to the South West where Copse Lane meets the A3023.

Policy CS17 of the core strategy aims to concentrate development to within urban areas and defined settlement boundaries.

In these circumstances the provision of new housing, whether that is by subdividing an existing plot or by bringing forward previously undeveloped land, would normally be discouraged notwithstanding that the former could be argued to be less harmful.

4.2

However, the general presumption against new development is based on the local planning authority being able to demonstrate a five year supply of housing as required by the National Planning Policy Framework (NPPF).

At paragraph 5.18 the councils annual monitoring report 2016states "based on figures... once the flexibility of a buffer is added as required by the NPPF, the council cannot demonstrate a five year supply of housing when judged against the Objectively Assesed Needs. (OAN)

4.3

It is contended that if a planning authority that was in default of the requirement of a five year supply were to continue to apply its environmental and amenity policies with full rigour, the objective of the framework could be

frustrated.

The purpose of paragraph 49 of the NPPF is to indicate a way in which the lack of a five year supply of sites can be put right.

It is reasonable for the guidance to suggest that in such cases the development plan policies for the supply of housing, however recent they may be, should not be considered as being up to date, if the policies for the supply of housing are not considered as being up to date, they retain their statutory force, but the focus shifts to other material considerations.

That is the point at which the wider view of the development must be taken into account within the context of the provisions of the NPPF.

4.4

Paragraph 49 merely prescribes how the relevant policies for the supply of housing are to be treated where the planning authority has failed to deliver the supply.

The decision maker must then turn to the general provisions in the second branch of paragraph 14.

That takes as the starting point the presumption of in favour of sustainable development, as being the "golden thread" that runs through the framework in respect of both the drafting of plans and the making of decisions on individual applications.

The decision maker should therefore be disposed to grant the application unless the presumption can be displaced.

It can only be displaced on two grounds, both of which involve a planning judgement that is critically dependant on the facts.

The first is that the adverse impacts of a grant of permission will "significantly and demonstrably" outweigh the benefits of the proposal.

The second ground is that specific policies in the frame work indicate that development should be restricted.

4.5

In relation to housing, the objective of the frame work is clear. Section 6, "Delivering a wide choice of high quality homes", deals with the national problem of the unmet demand for housing.

The purpose of paragraph 47 is "to boost significantly the supply of housing." To that end it requires planning authorities (a) to ensure inter alia that plans meet the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in the framework, including the identification of key sites that are critical to the delivery of the housing strategy over the plan period; and (b) to identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements, with an additional buffer of 5% to ensure choice and competition in the market.

4.6

It is therefore considered that, in this particular case, the presumption against the proposed development plan would not apply.

On a point of principle the proposed development would accordingly need to

be assessed against other material considerations.

Design/character of area

4.7

In response to a pre-application submission for the construction of a comparatively large two storey house to the rear of Cranbrook Villa the council had expressed the informal view that such a development would be unlikely to be considered acceptable in terms of scale and design. The council did suggest that a smaller scale development more reflective of the forward developments along Copse Lane would be more likely to receive officer support

4.8

The hamlet of Tye is generally characterised by a loosely knit assemblage of chalet bungalows and houses when viewed from the public realm. The predominance of hedgerow and trees to plot boundaries has the effect of limiting the public view of buildings and, more crucially, how development to the rear of those buildings is perceived.

4.9

This proposal would entail the provision of a pair of bespoke designed bungalows with low pitch roof design and construction methods and technologies designed to not only reduce their visual impact but also reduce their environmental impact.

The dwellings would be set some 50m from the kerb side of Copse lane. Whilst the Western bungalow would be visible at a distance from Copse lane, the Eastern bungalow would be screened by the existing two storey house and selective tree and shrub planting to boundaries. Distance views of the bungalows from the South-West would similarly be screened by tree and shrub planting along the Southern boundary.

4.10

In principle the use of the existing access along the Western boundary of the site was considered acceptable in the pre-application submission, the case officer noting that "It could be accommodated within the curtilage boundary with an acceptable buffer".

With an appropriate treatment of edgings and surfacing to reflect the more rustic setting it would amount to an acceptable visual feature.

The siting of the proposed bungalows would satisfy the requirements of the design guide in relation to garden lengths and proximity of new buildings to boundaries.

4.11

It is, therefore contended that the proposed development, as perceived from the public realm, would respond to the local character, have very little impact visually on the character and appearance of the hamlet and represent an

acceptably high standard of both design and construction.

The applicant would accordingly contest that the proposed development is capable of support.

4.12

The proposed development has been designed to ensure that the occupiers of the adjoining properties would not be significantly affected in terms of outlook, sunlight/daylight, and loss of privacy and visual impact.

Furthermore the development would be considered to meet the needs of future occupiers.

The proposed accommodation would satisfy the requirements of the Nationally Described Space Standards, and provide a standard of private amenity area for both the proposed bungalows and retained house.

4.13

The council's supplementary planning document 'Parking' sets out the minimum car parking requirements for residential developments.

Table 4A of the document stipulates that a three bedroom dwelling should be provided with a minimum of two spaces.

The proposed development would incorporate three parking spaces per dwelling thereby including and allowance for visitor parking to minimise indiscriminate parking on the public highway.

The proposed car parking arrangement would also allow for turning areas to allow vehicles to enter and leave the site in a forward gear.

It is also proposed that each dwelling will include one electric vehicle car charging point to encourage the use of electric vehicles within the borough of Havant.

4.14

On site cycle storage requirements are set out in table 4D of the document.

It is proposed that dedicated cycle storage facilities for a minimum of two cycles per dwelling are provided within the curtilage of each dwelling.

It is suggested that the delivery and retention of those facilities can be achieved by an appropriately worded planning condition.

4.15

Ecological Impacts

The proposed development would result in the creation of two new dwellings.

In the context of policy DM8 of the core strategy the proposed dwellings would be expected to give rise to significant effect on the SPA's for which mitigation would be a pre-requisite of planning permission being granted.

To assist the local planning authority in its role as competent authority in undertaking a Habitats Regulations Assessment for the proposal, the applicant has expressed a willingness to complete the S111 pro forma and make a direct payment of $2 \times £181 = £362$ on the basis that the proposals are recommended for planning permission.

The applicant would appreciate timely notification of the requirement for the completed S111 forms and associated payment so that it would not delay the determination of the application.

4.16

It is considered that the application site has limited ecological value (Report attached) and that the construction of the proposed bungalows would not adversely affect any protected species.

This is evidenced by a Phase 1 habitat Survey and Phase 2 targeted protected species survey work undertaken by CC Ecology Ltd in June 2018.

4.17

Trees

The application site consists of the proposed site access to the Western boundary before widening out into a 37 m deep site.

The boundaries comprise a combination of hedgerow and trees.

Only one tree situated within the boundary of Northwood is included within tree preservation order No 0567

The tree (T44) is a *fraxinus excelsior* (Common Ash)

(See attached report by Johnson Tree Consultancy)

4.18

The impact of the proposed development on those trees is dealt with in the arboricultural report.

The proposed development would not require the removal of any trees and neither would the retention of those trees preclude the development of the site in the manner proposed subject to safeguarding the works being carried out.

The proposed development would also provide an opportunity to carry out further tree planting in the interests of enhancing screening and ecology.

Conclusions

5.1

As evidenced by the annual monitoring report the council is unable to demonstrate a 5-year supply of housing as required by the NPPF.

As such the relevant policies that relate to the provision of housing in the Development Plan cannot be considered up to date.

In those circumstances there would not be a presumption against the proposed development in principle.

5.2

When considered in the context of, inter alia, the over reaching objective of the NPPF to deliver a wide range of housing, the proposed development must therefore be considered on its individual merits.

5.3

The proposed development would not, in terms of how the hamlet of Tye is perceived from the public realm, significantly affect its character or otherwise affect its appearance.

5.4

The proposed layout of the site would accord with the councils design guide and NDSS, and furthermore would not have an adverse impact on the living conditions of the occupiers of the adjoining properties.

5.5

On-site parking would be provided that minimise the demand for on-street visitor parking and the development would provide both cycle storage facilities and EV charging points to promote the use of more ecologically forms of transport.

5.6

Ecological impacts can be addressed and mitigation secured through an S111 agreement.

5.7

The applicant believes that there is a compelling argument for the proposed development to be looked upon favourably.

Aside from the above mentioned factors the applicant also points to the Councils Housing Constraints Analysis of 2016, in which it self suggests that land outside of areas of high level constraint should be explored for potential development opportunity.

The applicant also sees this application as an opportunity for the local authority to redress the balance in the area, and provide smaller more efficient homes that can be afforded by a wider demographic .

The applicant is prepared to offer a development that far exceeds present requirements for efficiency and low impact construction, and will also minimise the developments carbon footprint well into the future.

5.8

It is therefore requested that the local authority take all of the above points into consideration and support this application.