
Site Address:	Rear of Cranbrook Villa, Copse Lane, Hayling Island, PO11 0RJ		
Proposal:	Erection of 2No. 3bed bungalows with associated parking and access from Copse Lane.		
Application No:	APP/18/01138	Expiry Date:	07/01/2019
Applicant:	Mr A Griffiths	Case Officer:	Emma Chisnall
Agent:			
Ward:	Hayling East		

Recommendation: **REFUSE PERMISSION**

1 Site Description

- 1.1 The site lies to the south side of Copse Lane. The current dwelling on the site has been recently developed and is two storey in height, brick built, and has a slate roof. Two new bungalows are proposed to be developed in the rear amenity space of Cranbrook Villa which occupies a generous amenity space.
- 1.2 To the east 'Eventyde' is a detached bungalow with rooms in the roof. To the west North Wood is a detached two storey house.
- 1.3 The site is located outside the urban area.

2 Planning History

APP/15/00378 - Demolition of existing 2 bed detached house and erection of 1No. five bed detached house and double detached garage., PERM,13/04/2016

APP/16/00564 - Proposed two storey side and rear extensions and single storey front extension (approved 24.08.2016). Request to Discharge Condition No. 3 (21.11.2016), PERM,24/08/2016

APP/17/00395 - Application for non-material change to planning permission

APP/16/00564 relating to integral garage to living accommodation, windows and doors., PERM,10/05/2017

APP/18/00002 was a previous application to develop 2No. two bed bungalows within the rear garden space of Cranbrook Villa in Hayling Island. The application was refused in March 2018 for four reasons. These are outlined below.

- The undesirable addition of two dwellings in a location outside the built up area.
- The dwellings would be sited to the rear of Cranbrook Villa introducing backland type development contrary to the established pattern of linear development in the immediate area.
- No SRMS contribution payment was made
- Lack of ecological information was submitted with the application which would ensure that the LPA was not able to determine the ecological implications of this development.

3 Proposal

- 3.1 Erection of 2No. 3bed bungalows with associated parking and access from Copse Lane.

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)
CS14	(Efficient Use of Resources)
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS20	(Transport and Access Strategy)
CS21	(Developer Requirements)
CS9	(Housing)
DM11	(Planning for More Sustainable Travel)
DM13	(Car and Cycle Parking on Residential Development)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)
DM9	(Development in the Coastal Zone)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
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

Arboriculturalist

Following a site visit and reading the submitted arb report I make the following comments regarding the proposed development:

The area of the RPA for TI is breached is noted in the report, however inspection holes should be dug (under Arb supervision) prior to permission being given to establish a rooting pattern and then to submit a proposed foundation type that will not damage the tree.

. The supplied Tree protection Plan (TPP) is not considered adequate to allow it to be accurately conditioned.

Objection raised - Rooting pattern for TI and foundation design must be submitted and

a TPP to include RPA showing any incursions etc is required.

Officer Comment: Verbal discussion has been had with Arb and due to the in principle objection and lack of information the application should be refused due to impact on trees.

Building Control, Havant Borough Council

Building Regulation application will be required for this work considering the following issues:

Fire Authority access under AD B5

Solid waste collection under AD H

Unprotected Areas with regards windows on side elevations close to notional boundaries

Cladding to comply with AD B regarding amount and location to boundaries

Officer Comment: An informative shall be included with the decision.

Community Infrastructure

No comment

County Archaeologist

Thank you for your consultation. The site is located in a small dispersed settlement of Tye that is known to be medieval in origin, while a possibly prehistoric hearth was recorded around 90 metres to the south east in the late 1960s. There is therefore some potential for as yet unrecorded archaeological features to exist within the proposed development footprint. From looking at historic ordnance Survey maps of the area it appears that the site of the proposed bungalows appears has remained undisturbed by modern development over the past 150 years and therefore any archaeological features here would be relatively well-preserved. While the development is of a relatively small scale, this archaeological potential and the relatively undisturbed nature of the site combine to persuade me to recommend that investigative works be carried out during ground works associated with construction.

I would therefore advise that a condition is attached to any planning permission that may be issued. Such a condition would require the preparation of a Written Scheme of Investigation (WSI) that sets out the methodology for an archaeological watching brief of the ground works associated with the construction of the two bungalows and the associated access road, so that any archaeological remains encountered are recognised, characterised and recorded. Provision should also be made for the public dissemination of any results and the WSI should satisfy the Local Planning Authority that the scheme is sustainable under the terms of NPPF.

If you have any further queries, then please do not hesitate to contact me.

Officer comment: An informative shall be included with any decision to ensure the requirements made by Archaeology are met in light of an appeal.

County Ecologist

Thank you for consulting me on this application. Please accept my apologies for the delay in responding.

The application is accompanied by an Extended Phase 1 Habitat Survey report (CC Ecology, June 2018). The site comprises an area to the rear of Cranbrook Villa, containing areas of rough grassland, hedgerow, scattered trees and bare ground. The site is not of particular ecological value beyond the site scale and is considered unlikely to support populations of legally-protected or otherwise notable species, with the exception of nesting birds within the boundary hedgerows. I am content that no further ecological assessment is required. I do note that the orchard trees previously present have been removed and that the ecological report recommends that new orchard tree planting is carried out. I concur with this statement and would request that further details are provided with respect to habitat compensatory planting.

The proposal provides an opportunity to provide some embedded ecological enhancements. I would suggest that each new dwelling should incorporate at least one incorporated bat roosting feature or incorporated bird nesting feature. These can be secured by condition.

Officer comment:: An informative shall be included with any decision to ensure the requirements made by Ecology are met in light of an appeal.

Crime Prevention

No comment

Southern Water

Please find attached a plan of the sewer records showing the approximate position of a public sewer within the site. The exact position of the public 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 should be located within 3 metres either side of the external edge of the public sewer and all existing infrastructure should be protected during the course of construction works.

No new soakaways should be located within 5 metres of a public sewer.

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 1 st 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 S021 2SW (Tel: 0330 3030119) or www.southernwater.co.uk.

Southern Water requires a formal application for a connection to the public foul sewer 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://lbeta.southernwater.co.uk/infrastructure-charges>

The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SUDS).

Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

Specify the responsibilities of each party for the implementation of the SUDS scheme

Specify a timetable for implementation

Provide a management and maintenance plan for the lifetime of the development.

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Officer Comment: An informative shall be included with any decision to ensure the requirements made by Southern Water are met in light of an appeal.

Highways Engineer

This application should be determined by the Planning Authority using the Highway Authority's, standard guidance. However I would suggest that the applicant should show the available sight lines onto Copse Lane.

Officer Comment: An informative shall be included with the decision.

Natural England Government Team

Thank you for your consultation on the above dated 27 November 2018 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Protected sites - no objection

Natural England notes that your authority, as competent authority under the provisions of the Habitats Regulations, has undertaken an Appropriate Assessment of the

proposal, in accordance with Regulation 63 of the Regulations. Natural England is a statutory consultee on the Appropriate Assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions. Provided the applicant is fully compliant with the Solent Recreation Mitigation Partnership Definitive Strategy and an appropriate planning condition or obligation is attached to any planning permission to secure the contributions towards this mitigation measure, Natural England is satisfied that the applicant has mitigated against the potential adverse effects of recreational disturbance on the integrity of the European site(s).

Traditional orchard - no objection subject to mitigation

This application is supported by a Phase 1 Habitat Survey (CC Ecology June 2018) which states an area of Traditional orchard habitat in the south of the site, recorded in previous surveys on the site (CC Ecology 2015), has been removed. Traditional orchard is a priority habitat listed as required under section 41 of the Natural Environment and Rural Communities Act 2006. The report includes recommendations for reinstatement of the orchard, however this has not been included on any of the proposed plans supporting the application.

It is Natural England's opinion that the orchard should be reinstated, details of this should be set out in a Biodiversity Mitigation and Enhancement Plan (BMEP) which has been agreed by a Hampshire County Council (HCC) Ecologist. Where this is not possible or there is residual loss, a compensation package will need to be agreed if the requirements for biodiversity enhancement as set out in National Planning Policy Framework paragraphs 8,118,170,174 and 175d are to be met. Further, you should be aware that Section 40 of the Natural Environment and Rural Communities Act (2006) provides a duty to conserve and enhance biodiversity stating that, 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 40(3) also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'. Biodiversity 2020: A strategy for England's wildlife and ecosystem services and Making Space for Nature (2010) also provide strong drivers for the inclusion of biodiversity enhancements through the planning process.

Natural England therefore recommends that your authority seeks additional habitat compensation measures from the proposals. We would recommend that this is achieved through direct habitat creation, or alternatively a financial contribution secured by a S 106 that is in line with the requirements of the Dorset Biodiversity Compensation Framework, or similar mechanism such as that used by the Environment Bank. The agreed level of funding should be used to support projects that facilitate the management, or creation of new or existing areas of Traditional Orchard within the Borough. This could be discussed with the council's Biodiversity team as to how this might be achieved. Natural England would also be happy to discuss with the applicant through our Discretionary Advice Service.

In addition, Natural England would advise on the following issues.

Protected Landscapes

The proposed development is for a site within or close to a nationally designated landscape namely Chichester Harbour AONB. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.

Your decision should be guided by paragraph 172 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals paragraph 172 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

We also advise that you consult the relevant AONB Partnership or Conservation Board. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB's statutory management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purpose of the AONB is to conserve and enhance the area's natural beauty. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm that statutory purpose. Relevant to this is the duty on public bodies to 'have regard' for that statutory purpose in carrying out their functions (S85 of the Countryside and Rights of Way Act, 2000). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

Protected species

Natural England has produced standing advice to help planning authorities understand the impact of particular developments on protected species. We advise that the standing advice is interpreted for you by your district ecologist, or an equivalent independent party with the necessary expertise. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, we recommend that they seek advice through our Discretionary Advice Service.

Officer Comment: An informative shall be included with the decision.

Planning Policy

The Local Plan (Core Strategy) and the Local Plan (Allocations), together with the Hampshire Minerals and Waste Plan form the development plan for the borough. In addition to these, the council adopted its Local Plan Housing Statement in December 2016 which is material to the determination of this application.

Also relevant to this proposal, though with limited weight, is the emerging Havant Borough Local Plan 2036 (HBLP2036), in preparation of which a Regulation 18 consultation took place in January and February 2018. The next key stage in the preparation of the HBLP 2036 will be consult on a Pre-Submission Draft (Regulation

19) which is anticipated to take place in early 2019. At this stage, the policies in the Plan may be afforded greater weight.

The above documents are available at www.havant.gov.uk/localplan.

Principle of Development

In the adopted local plan, the site lies outside of the urban area as defined by policies CS17 and AL2 of the adopted plan. These policies seek to restrict development in these locations, except in exceptional circumstances set out in national policy. I do not consider that any of the exceptions in the policy apply here.

In addition to the above, Policy AL2 confirms that land outside the defined urban area on Hayling Island is 'non-urban' rather than undeveloped gap.

Notwithstanding the fact that the application would make a limited contribution to housing supply. The Council is able to demonstrate an up-to-date housing land supply. As such, the presumption in favour of sustainable development in the NPPF is not engaged (NPPF, para 11).

In light of housing need in the Borough, the Local Plan Housing Statement identified urban extensions sites which the Council would consider acceptable to be brought forward ahead of the new Local Plan being adopted. However, this site was not one of the sites identified, and Guiding Principle 4 of the Local Plan Housing Statement reaffirms that:

"Development proposals on any sites not in the urban area as identified by Policy CS17 and AL2) and not identified in Table 2 of the Local Plan Housing Statement will be resisted."

Recommendation: There would be an 'in principle' policy objection to the pre-application proposal on the basis the site is located outside of the urban area and no exceptional circumstances would apply.

Officer Comment: The proposal is unacceptable in principle.

Public Spaces

No comment

Waste Services Manager

Can we please ensure that a suitable area/location is provided to prevent the residue/recycling wheeled bins at the boundary of the new private service road in Copse Lane for waste collection as part of this planning application.

Officer Comment: An informative shall be included with the decision

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: 3

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 5

Comment	Officer Comment
This clearly constitutes overdevelopment. Government guidelines in NPPF do not recommend development of gardens in general.	See section 7
Generally, windfall developments like this are putting considerable and intolerable stress on Haylings Infrastructure. I would suggest that any windfall or other unplanned developments do not get addressed until such times as the infrastructure of Hayling is more fully understood.	See section 7
Thank you for your letter dated 16th November 2018 in respect of the above, advising that a planning application has been submitted for 2no. 3 bed bungalows.	See Section 7
Having viewed and considered the application in detail we wish to formally object to this application for the following reasons:	See section 7
- Cranbrook Villa lies within the Hamlet of Tye which is located outside of any recognised urban development area. Any new development is based on one for one replacement to ensure the semi-rural character of the area is maintained and protected and the proposals are contrary to policies CS9 and CS17 of the Havant Borough Local Plan 2014.	See section 7
- Tye is predominately an area of fields and a number of detached residential properties of individual design on large plots. Introducing backland development is contrary and harmful to the current character of the area and would set a precedent across not only Hayling Island but the whole borough where every large residential plot outside of development areas could submit applications for high density development on their land.	See section 7
- Havant Borough Council Local Plan specifically states that 'infill or backland development within rural settlements should be resisted as this would fundamentally alter the authentic irregularity and density of settlement there'. This is further supported in the Northney and Tye Village Design Statement.	See section 7
- The proposed access for the 2 bungalows has been created without the benefit of a planning application. This did not form part of application APP/16/00564 or APP/17/00395 and whilst the applicant refers to 'an existing access which has been in use for many years' this is totally untrue, can be proven and the access formed should be closed off and the land revert to rear garden for Cranbrook	This has been applied for under the current applicaiton APP/18/01138 and is referred to in section 7.

Villa as it always has been.	
- The scheme proposed is over development, car parking proposed is inadequate, lacks usable turning area and leaving the site by car is extremely dangerous as the visibility splay required to the west cannot be achieved.	See section 7
- Refuse collection and cycle storage has not been addressed.	See section 7
- The scheme proposed is overdevelopment of the site. Two bungalows have been jammed into the width of the plot using all space available, the walls to the side of each dwelling are constructed on neighbours boundaries which would result in fascia and gutters overhanging Eventyde and Northwood - how would these be maintained? Furthermore there are windows in these elevations again on the neighbours boundaries.	See section 7
In addition to the above we wish to raise the following points:	
1. Neither the site plan or location plan show the current house of Cranbrook Villa and it is therefore not possible to relate the existing to the proposed.	This has been established by the case officer following a site visit.
2. The submitted drawing indicates that the plot width is 26.725m whilst the planning statement says the width as 22.3m (item 1.2) which is correct, could you please advise as if the latter is the width the proposals will not fit on the site.	This measurement has been taken from the annotated and scaled block plan which confirms a width of approx 26m.
3. The submitted drawing fails to indicate any of the existing trees on the boundary of the site including an Ash on the eastern boundary and no root protection zone has been allowed for this tree which may well affect the adjacent proposed bungalow.	See section 7
4. Item 1.5 of the Planning Statement which sets out the planning history of Cranbrook Villa makes no reference to the most recent planning application APP/18/0002, an application for 2no. 2 bedroom bungalows. This application was refused by Havant Borough Council on 19th March 2018.	See section 7
5. Item 3.2 of the Planning Statement refers to the application as 'vacant land' which is totally incorrect. The application site has always been the rear garden of Cranbrook Villa except for the past 12 months and the land should revert to garden rather than destroy the natural semi-rural setting of North Hayling.	See section 7

6. Further item 3.2 refers to 'alternative means of transport' and advises that there are local buses passing in Copse Lane and a bus stop 90m away. This clearly indicates the applicant has no knowledge of the area, there are no buses and to our knowledge there have not been any for many years. Refusal APP/18/0002 - reason 2 acknowledges that 'the dwellings would be located in an unsustainable location'. This has not changed.	See section 7
7. The Tree Report submitted refers to the wrong drawings (ie application APP/18/0002) and this document indicates the need for two root protection zones which have been ignored. Further RPZ should be required to trees on the western boundary as if approved trenches will be required down the driveway for public utilities. In view of the above we should be pleased if these items could be considered and the application refused.	See section 7
With reference to the above planning application for development of the site to the rear of Cranbrook Villa. We have reviewed and considered the detail of the application and wish to formally object for the same reasons as were raised in objection over the previous planning application APP/18/00002. As stated previously approval of this application would not be consistent with Havant Boroughs own design guidance which states that 'Development of backland .. sites should not have an adverse effect on neighbouring properties, should maintain and enhance the existing character and quality of an existing area'. It would also go against the advice in the Havant Borough Townscape, Landscape and Seascape Character Assessment regarding rural settlements such as Northney and Tye, stating 'backland development within rural settlements should be resisted as this would fundamentally alter the authentic irregularity and density of settlement here.	See section 7
Approval of this application would set a precedent and allow development of additional properties on all the larger plots in this area. This would ensure that the rural character of the area would be completely lost.	See section 7
We would also like it noted that the land in question is not 'vacant land' and has always been the garden of the original property (Cranbrook Villa) which has been sectioned off by the current owner.	See section 7
Given that the previous application was rejected and that there is already a great deal of guidance regarding backland development in this area, we trust that you will take this and our objection into account when making you decision and will refuse the application.	See section 7
Re Planning Application APP/18/01138 Hayling Island Rear of Cranbrook Villa Copse Lane Hayling Island	See section 7

We lodged our objections to the previous planning application for this site AP/18/0002, in the following terms;	
NEHRA objects to this planning application to build semi-detached bungalows on a garden site, for the following reasons: This is not part of the approved borough plan so 'additional housing should be avoided in non urban areas, unless for a rural worker or it enhances the immediate setting'. In terms of the VDS it constitutes total over development of the garden site. This is infill not replacement, 1 for 1. Highways say there must be sight lines leaving the new access which has been recently made, that is impossible at this site, on this dangerous bend, without using neighbouring land.	See section 7
The Fire Brigade would not be able to safely access the proposed bungalows.	See section 7
There is we believe some medieval archaeology on site which needs investigating.	See section 7
Any car parking and foundations to one of the dwellings could be severely affected by the trees.	See section 7
We have now reviewed the new application, and do not see that there is any basis for changing our opinion, or comments.	See section 7
We have also read the online objections dated 4th December, and objection document (letter) dated 30th November, and are in agreement with both the opinions and facts contained therein. In particular we would highlight that this is not a building site but a back garden, and the plans do not show Cranbrook Villa, suggesting this is merely a 'plot of land'.	See section 7
We trust that these facts and opinions will be taken into account when reaching an opinion on this application.	
As residents of a property adjoining the proposed development site, my wife and I support this application. The proposed development site was originally part of our own property's land until we renovated the original house in 2017. The house and land had been vacant and falling into disrepair since it was last occupied in 2002. The size of the original plot was more than we required so the surplus land was divided off in 2017. Small development plots such as these should be seen as a way of relieving the pressure on local authority's to provide the level of house building required by central	

government now and into the future.

Furthermore the size and type of dwelling proposed would offer an opportunity to provide more affordable housing in an area where many of the smaller dwellings are being snapped up and extended into larger more expensive properties that are financially out of reach of the majority of the local population.

A good example of this approach is the development at the site known as Yacht Haven which is some three hundred metres from the proposed site, this development consists of six in number large detached five bedroom properties on a plot which is adjacent to more than one area of very sensitive ecological importance and within Chichester Harbour area of outstanding natural beauty.

Large exclusive developments such as these do nothing to diversify the demographic of the area and subsequently exclude the vast majority of the local population from having the chance to live here. If these smaller communities are to thrive in the future a sensible measured approach to development should be encouraged, this brings to the community not only an investment in local more affordable housing but an opportunity for those on lower incomes to become a part of these communities.

We also note that in a previous application on the proposed site the planning officers report suggested clearly that the proposed development of two in number detached bungalows would have very little if any impact on the neighbouring properties due to the distances between proposed and existing dwellings. The current applicant has we see included many design features in the proposed dwellings that will further negate any future ecological impact of the dwellings, these include; Heat recovery systems, air source heating systems, photo voltaic roof panels and dedicated electric car charging points.

This approach should be seen by the local authority as an opportunity to promote the idea of building homes that are more ecologically sustainable rather than promoting the building of vast faceless developments that have a massive ecologically destructive impact on the local and wider environment.

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) Nature of the development
- (iii) Impact on character and appearance of the area

- (iv) Effect on residential amenity
- (v) Flood risk
- (vi) Highways matters
- (vii) Effect on protected species/ Ecology
- (viii) Developer contributions
- (ix) Impact on trees
- (x) Archaeology

(i) Principle of development

7.2 The site lies outside the built up area where new residential development is not normally acceptable. Policy CS17 relates to the need to concentrate new development (including housing) in the urban areas. The principle of residential development is therefore not considered to be acceptable in this location.

7.3 Any new housing contribution has to be weighed against the severity of the impact it causes and although the addition of two new dwellings would contribute towards the Borough's 5 year housing supply this would only be by a modest amount. Furthermore the application site is situated outside of the built up area having the potential to significantly impact the rural setting of this area and causing an adverse impact to the character of the area. In addition to this current allocations for housing have been approved for the Borough which demonstrates that housing can be accommodated elsewhere within the built up area and therefore the significant impact caused as a result of the proposed development is considered to be contrary to CS9 of the Boroughs Local Plan (Core Strategy) and the principal of the development is not supported.

(ii) Nature of the development

7.4 The proposal is a full application for the development of No 2, three bedroom bungalows in the rear amenity space of Cranbrook Villa. The description includes the vehicular access from Copse Lane to serve the two dwellings and the submitted plans show the proposed position and design of the units including parking and amenity spaces.

(iii) Impact on character and appearance of the area

7.5 The application site is outside the built up area and has a rural character with fields and boundary hedgerows and trees interspersed by dwellings. The landscape is relatively flat and to the east beyond Copse Lane is open farmland and to the west are open fields and farmland also.

7.6 The application site itself is located in a small group of approximately 13 dwellings with similarly sized plots on the south side of Copse Lane. The plot has an semi-open undeveloped aspect when viewed from Havant Road and whilst it is appreciated that there are existing dwellings either side of the plot when viewed from Copse Lane these are in an established pattern of linear development and there is limited to no backland development along Copse Lane. As a result the proposed development of this site would lead to an intensification of the existing residential development detracting from the remaining rural character of the area which is considered to be significantly harmful and unacceptable.

7.7 Within such areas new residential development without specific justification (for example a farm workers dwelling) is contrary to adopted policy. The provision of two

bungalows in the backland development of Cranbrook Villa on the south side of Copse Lane would lead to an unacceptable intensification of residential development having a harmful impact on the semi-rural character of the area. Furthermore the area is isolated from shops employment and other facilities and would result in an over reliance on the private car, resulting in an unsustainable development in an isolated location.

- 7.8 The proposal includes a significant amount of hard-surfacing which would adversely impact the existing rural character of the site creating an un-attractive appearance which is out of keeping to the other dwellings within the immediate vicinity. The site is considered to be large enough to accommodate soft landscaping details to the front and access drive of the site which would soften this appearance. However this has not been incorporated and is considered to adversely impact the character and appearance of the area which is considered to be unacceptable.
- 7.9 The design of the two bungalows are considered to be out of keeping to the locality of the area however due to their position behind Cranbrook Villa and that they are modest in size and would not be readily viewable from the public domain the works, on balance, from a design perspective are considered to not be harmful enough to warrant a refusal planning permission.

(iv) Effect on residential amenity

- 7.10 The development has the potential to impact Cranbrook Villa itself, the neighbouring dwellings adjacent Northwood and Eventyde and the farm to the rear Lower Tye. The proposal consists of two bungalows to be positioned in the rear amenity space of Cranbrook Villa which shall create an approximate distance of 10.5m between the proposed development and shared boundary to the north and approximately 30.75m between the proposed dwellings and Cranbrook Villa. Although this is a fairly modest distance between the proposed development and dwelling it is considered that this distanced coupled with the design of the dwellings being bungalows and having ground floor windows only that the impact caused would be limited and acceptable. The driveway proposed along the side Cranbrook Villa would create additional activity from the 6 cars proposed in total to serve the two bungalows and noise would be generated as a result. Cranbrook Villa is set off the boundary to the west and provided suitable surfacing is provided and not gravel the impact is considered to be acceptable.
- 7.11 Cranbrook Villa benefits from a large and generous plot which has sufficient screening along the west and east boundary. The proposed dwellings are larger in scale then the previous proposal submitted but they would still be set a generous distance away from the adjacent neighbouring dwellings Northwood and Eventyde. Both dwellings have been designed with an appropriate scale and modest eaves height and hipped roof design which would ensure that the dwellings do not appear over-bearing or oppressive to the neighbours. Following a site visit it was noted that both the east and west boundaries consist of extensive hedging, trees and timber panels which would provide sufficient screening between the proposed ground floor windows and neighbouring dwellings reducing any potential impact for over-looking. However, where the dwelling to the east shall be set off the shared boundary with Eventyde the proposed dwelling to the west shall be positioned up to the shared boundary with Northwood which shall have the potential to impact the existing screening between the properties leading to a potential loss of privacy and creation of over-looking. Therefore it is considered necessary to include an informative with the decision that in the event the application is taken to appeal that further details and a plan showing the retained and proposed screening is submitted to the Local Planning Authority to ensure that the

impact caused would be an acceptable part of the proposal.

- 7.12 The works are proposed to be set off the shared boundary with Lower Tye Farm to the rear by approximately 10.75m. Both bungalows are proposed to have three rooflights installed in the rear roof elevation however this would only serve a ground floor use and would therefore not create over-looking as a result. The boundary screening between the dwellings is also extensive by mature trees and hedging and therefore due to this and the distance between the dwellings and the works are considered, on balance, to create a limited and acceptable impact.

(v) Flood risk

- 7.13 The site is located within flood zone 1 and therefore due to the size of the proposed development the application would not require a completed Flood Risk Assessment form.

(vi) Highways matters

- 7.14 The Development Engineer has been consulted in regards to the proposal. Due to a telephone mast being positioned to the north west corner of the application there is the potential for sight lines to be impacted. As such, it is considered necessary to include an informative with the decision so that in the event of an appeal, a plan is submitted to show the sight lines of a car entering and exiting the site in order to ensure that this would be an acceptable part of the proposal.

(vii) Effect on protected species/ Ecology

- 7.15 The site is located in an ecologically sensitive area and as such a consultation has taken place with the Ecology Officer. Supporting information has been submitted with the application which is considered to appropriately outline the ecological impacts of the site and potential impacts. No objection has been raised by the ecology officer however a condition has been recommended, should the application be appealed, which would request that further details are provided with respect to habitat compensatory planting and that each new dwelling incorporates a bat roosting feature or incorporated bird nesting feature. This shall be included with any decision issued.
- 7.16 Natural England has been consulted with in relation to the proposal and have raised a concern over the potential loss of the traditional orchard to the south of the application site. Following a site visit an orchard was not able to be seen to the rear of the site and it was noted that the ground mainly consisted of grass and earth with a large storage container positioned centrally within it. It is further noted that the application does not propose or show an allocated space to the rear of the dwellings to incorporate or retain the orchard. Natural England has advised that a Biodiversity Mitigation and Enhancement Plan (BMEP) is submitted to show where the orchard shall be reinstated if possible. If not possible then a compensation package should be sought, or a mitigation planting scheme agreed as per the County Ecologist comments. As such, it is considered necessary to include an informative with the decision so that in the event of an appeal, a plan is submitted to provide this additional information in order to ensure that this would be an acceptable part of the proposal.

(viii) Developer contributions

- 7.17 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 20th 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 £100 per square metre on new floorspace plus indexing for Hayling Island. The development is CIL liable to the total of £27,270.13 and the applicants have completed the necessary Assumption of Liability form accepting this amount.

- 7.18 Being a proposal consisting of two new dwellings it is also required to make a contribution towards the Solent Recreation Mitigation Strategy (SRMS) in order to comply with policy DM24 of the Allocations Plan and Natural England's consultee response. This contribution was paid in the form of a one off payment. The payment of the appropriate SRMS contribution is sufficient for the application to meet the requirements of the policy and Natural England's advice in this respect.

(ix) Impact on trees

- 7.19 The Arboricultural Officer has been consulted in regards to the proposal and the potential impact caused to the mature trees onsite. An objection has been raised based on the insufficient information that has been submitted with the application and that the supporting Tree Protection Plan does not demonstrate enough sufficient mitigation strategies. Therefore an in principle objection has been made to the proposal and due to the level of harm caused to the surrounding trees it is considered necessary that the application be refused on this basis.

(x) Archaeology

- 7.20 A consultation has been carried out with the County's Archeologist in relation to the proposal. Although no objection has been made a condition has been suggested to be included with the decision that requests a Written Scheme of Investigation that sets out the methodology for an archaeological watching brief of the ground works associated with the construction. As such, it is considered necessary to include an informative with the decision so that in the event of an appeal, a plan is submitted to provide this additional information in order to ensure that this would be an acceptable part of the proposal.

8 Conclusion

- 8.1 In conclusion, the principle of residential development in this non-urban area in the absence of an overriding justification would be contrary to the policies of the development plan, result in unsustainable development and detract from the character and appearance of the area.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **REFUSE PERMISSION** for application APP/18/01138 for the following reasons:-

- 1 The proposal represents the undesirable addition of two dwellings in a location outside the built up area for which there is no special justification. Furthermore the dwellings would be located in an

unsustainable location where the occupiers of the dwellings would be likely to have an over reliance on the private car. The development would therefore conflict with policies CS9, CS16, CS17, DM9, DM11 and DM12 of the Havant Borough Local Plan (Core Strategy) 2011, policy AL2 Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework 2018.

- 2 The proposed development would result in the provision of two new dwellings outside the built up area without special justification. They would be sited to the rear of Cranbrook Villa introducing backland type development contrary to the established pattern of linear development in the immediate area. This is considered to be harmful to the attractive semi-rural character of the area. The application also proposes a significant amount of hard-surfacing which is considered to impact the visual rural character of the site. The development would therefore conflict with policies CS9, CS16, CS17, DM9, DM11 and DM12 of the Havant Borough Local Plan (Core Strategy) 2011, policy AL2 Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework 2018.
- 3 The layout and siting of the proposed development would result in trees important in the local landscape and subject to a Tree Preservation Order being located in close proximity to the proposed development. As such the development has the potential to result in significant physical damage to the trees, thereby diminishing the health, appearance and longevity of the trees. The submitted information is considered to not be sufficient enough to mitigate this harm and the works are therefore considered to be significantly harmful. It is therefore contrary to policy DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.