
Site Address:	9 West Haye Road, Hayling Island, PO11 9RN		
Proposal:	Construction of 1No. 3 bed detached bungalow.		
Application No:	APP/18/00519	Expiry Date:	25/07/2018
Applicant:	Mr Rockett KDM Property Developments Limited		
Agent:	Mrs Willard Inspired Design Studio Limited	Case Officer:	Emma Chisnall
Ward:	Hayling East		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site lies to the north and behind No 9 West Haye Road. No 9 is situated centrally within a run of detached bungalow and chalet style bungalows all of which have large amenity spaces to the rear. The application site is situated on level ground and is surrounded with residential development.
- 1.2 The application site is situated in a generously sized plot and shares its rear curtilage boundary with No 18 Eastoke Avenue. The new dwelling is proposed to be accessed via a side road between No 9 and No 11 which then joins West Haye Road. The site is surrounded with screening in the form of 1.8m timber close boarded fencing however 1 panel was missing along the west boundary.

2 Planning History

95/60201/000 - Single storey front extension, PERM,
APP/18/00431 - Alterations to existing property, including replacement of existing front extension roof with part-pitched, part flat roof, demolition of existing side/rear extension. Construction of new single storey rear extension., PERM,24/05/2018

3 Proposal

- 3.1 Construction of 1No. 3 bed detached bungalow.

4 Policy Considerations

National Planning Policy Framework 2018

Havant Borough Council Borough Design Guide SPD December 2011

Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

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| CS11 | (Protecting and Enhancing the Special Environment and Heritage of Havant Borough) |
| CS14 | (Efficient Use of Resources) |
| CS16 | (High Quality Design) |
| CS17 | (Concentration and Distribution of Development within the Urban Areas) |
| CS20 | (Transport and Access Strategy) |
| CS21 | (Developer Requirements) |

CS9	(Housing)
DM10	(Pollution)
DM13	(Car and Cycle Parking on Residential Development)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

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

Building Control, Havant Borough Council

Access to the dwelling would not comply with requirement B5. Further details would be required to show compliance.

Planning Officer Comment: An informative shall be included with the decision to address the concern raised.

Community Infrastructure

No comment

Crime Prevention

No comment

Southern Water

Please find attached a plan of the sewer records showing the approximate position of a public foul 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.

Southern Water requests that this application is not determined until such time as the applicant produces a suitable layout respecting the below requirements of stand off distances to public sewer.

Please note:

-No development or new tree planting should be located within 3 metres either 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 Department of Planning and Development, Havant Borough Council, Public Service Plaza, Civic Centre Road, Havant, Hampshire ,PO9 2AX
Developer Services, Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW, Tel: 0330 303 0119

Email: southernwaterplanning@atkinsglobal.com

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".

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://beta.southernwater.co.uk/infrastructurecharges>.

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development

Planning Officer Comment: A condition and informative shall be included with the decision to address these concerns.

Highways Engineer, Development Engineer

The planning application should be determined by the Highway Authority using standard highway advice

Natural England

Thank you very much for consulting Natural England on the Appropriate Assessment for HRA and AA - APP-18-00519. Natural England has reviewed the Appropriate Assessment.

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). Please let me know if you have any queries

Public Spaces

No comment

Waste Services Manager

No issues over waste collection regarding this planning application, thank you.

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: 7

Number of site notices: 2

Statutory advertisement: Not applicable.

Number of representations received: 2

Comment	Officer Comment
Concern from No 16 Eastoke Avenue regarding: - Works shall affect the neighbourhood - Parking spaces shall cause noise and fumes smell - distance to boundary fence on north east side will affect roof to roof distance which shall finish around 1.3m - Height of the proposed development as well as neighbours house will give blackout to whole downstairs area. - Boundary fence is in poor condition. - There should be a greater distance away from the west boundary. - Windows shall cause over-looking. - Development is high. - Discrepancy on drawings - Letter was not received and was told about development from a neighbour.	See section 7 Site visit has been performed to ascertain neighbouring dwellings and numbers. Site notices were erected and letters sent to all immediate neighbours including No 16 Eastoke Avenue.
Concern from No 11 West Haye Road regarding: With regards to the erection of a 3 bed bungalow as well as the existing property on 9 West Haye Road there is now 8 parking spaces replacing 5 all of which were at the front of the property. From looking at the plans access to most of these parking spaces will now be via the side of number 9 but will also pass along the wall between 9 and 11 West Haye Road which will in turn cars will also go past 2 downstairs bedrooms at 11 West Haye Road. This will have an impact of not being able to leave bedroom windows open due to noise and car fumes	See section 7

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 upon residential amenity
- (iv) Residential amenities of the proposed dwelling
- (v) Highways
- (vi) Developer Contributions/CIL

(i) Principle of development

- 7.1 The application site is situated within an urban area as defined by CS17 where further development is considered acceptable subject to the usual development control criteria. Therefore the principle of an additional dwelling in this location is acceptable.

(ii) Impact upon the character and appearance of the area

- 7.2 The proposed dwellinghouse is considered to be modest in size as a proposed bungalow which shall suit the locality of the other dwellings within West Haye Road. Due to the position of the dwelling behind No 9 the majority of the works shall be screened by the existing dwellinghouse in the application site and therefore shall be mostly hidden from West Haye Road. The proposed development shall be viewable from Eastoke Avenue to the north however it is considered that the application site can accommodate the dwellinghouse within the built up form without creating a cramped and crowded appearance. With the works being single storey in scale, set off the neighbouring boundaries and from being set back from the main highway on Eastoke Avenue by a minimum of 10m the visual impact caused is considered, on balance, to not be out of keeping with the immediate locality.
- 7.3 The proposal is considered to be of a sound design and the works are set off the shared neighbouring boundaries by approximately 1m which complies with the Borough's Design Guide. The separation distance from the new dwelling to No 9 is approximately 15m however both the new dwelling and No 9 shall retain an amenity space approximately 10m deep which accords with guidance stipulated in the Borough Design Guide. These separations would retain a spacious setting to the site and the proposal would not appear overly intrusive or dominant in the space due to the single storey form of the dwellinghouse. The proposal is therefore, on balance, considered to accord and be compliant with policy CS16.
- 7.4 The new dwellinghouse is proposed to be built with facing brickwork and concrete tiles to suit the character of the area. Following a site visit and assessment it is considered that the proposed materials would not result in a significantly dominant nor obtrusive visual appearance in the streetscene and would suit the palette of the locality ensuring that the new dwelling would not look out of context. However, a condition shall be included requesting samples to be submitted to ensure this is the case.

(iii) Impact upon residential amenity

- 7.5 The dwellings most likely to be impacted by the proposed development are the neighbouring dwellings No 9, 11 and No 7 West Haye Road and No 16 and No 18 Eastoke Avenue to the north.
- 7.6 No.9 is the existing dwelling on the site. This property would need to be altered in order to accommodate the new access by removing an existing side extension. A plan has been provided to show how this would be achieved. The existing bungalow would retain an acceptable external amenity space with a rear garden of approximately 10m depth and front car parking. There would be an impact from the use of the proposed

access in terms of vehicular movements/disturbance, however, on balance and given the limited use of the proposed access associated with one dwelling to the rear it is not considered that a refusal of planning permission based on this additional impact could be sustained

- 7.7 No 11 is the dwellinghouse to the east which is in line with No 9 and is therefore substantially forward in its plot when compared to the proposed new dwellinghouse. It is considered that due to this distance between the neighbouring dwellings that the new proposed dwelling would not lead to a significant loss of outlook at No 11. Although the new dwelling has the potential to cause over-looking into private amenity space this impact is reduced due to the new dwelling being a bungalow and only having ground floor use. Coupled with the screening between the properties it is considered that privacy levels would be maintained between the neighbours and that no significant over-looking is caused as a result. In order to ensure that no roof alterations and subsequent windows are installed on the property, a condition removing permitted development rights is included, this would ensure that the LPA retain control over development on this site.
- 7.8 No 11 has raised concern over the driveway and the noise and smell generated as a result of the proposal. Although this is a potential impact that could be caused to No 11, given the limited use of the proposed access associated with one dwelling to the rear it is considered that a refusal of planning permission based on this additional impact could not be sustained. However due to the potential impact of noise caused by a gravel driveway the application has been updated and shall be conditioned to ensure that surfacing of the driveway and parking areas is instead undertaken with a bound or concrete material to ensure that the noise level is minimal. This is considered to satisfactorily address the concern raised and the development is considered to be acceptable in this regard.
- 7.9 Concern has been raised by the neighbouring dwelling No 16 Eastoke Avenue which in 2017 was allowed under permitted development to significantly extend and alter the existing dwellinghouse which would be adjacent to the proposed new dwelling. The new dwelling proposed at No 9 shall be in approximate line with No 16 with a modest projection of the proposed dwellinghouse to the front of No 16. The works are started but yet to be completed at No 16 however concern has been raised regarding over-looking caused by the development and a loss of light. In this regard it is considered that the new dwelling to the rear of No.9 will be modest in height, single storey with a fully hipped roof. They are also set off the shared boundary by approximately 1.5m which is a total distance away from No 16 of approximately 2.4m. Although the dwelling would be positioned to the east with some light loss potential in the mornings, the highest point of the proposed dwellinghouse is set away from No 16 by approximately 6m and the design of the roof hips away from No 16 in order to reduce this impact further. A site visit was performed to No 16 and although two windows are positioned within its side elevation facing east these rooms are also served by windows in the front and rear elevation which would permit light into the neighbouring property. Therefore although an impact does have the potential to be caused, this is considered, on balance, to not be significant enough to warrant a refusal of planning permission.
- 7.10 4 new windows are proposed to be positioned within the west side elevation of the new dwellinghouse which shall look onto No 16. A concern of over-looking has been raised and as the windows serving both bathrooms and the utility shall look directly onto the side elevation of No 16 and neighbouring windows, these windows shall be conditioned to be fitted with obscure glass and fixed shut unless higher than 1.7m

from the proposed finished floor level. The window serving the living and dining room shall be in a position forward of No 16 and therefore shall over-look space already open to public view and is therefore acceptable to have clear glass.

- 7.11 The neighbouring dwellinghouse to the north No 18 Eastoke Avenue shall be set away from the works by approximately 14m. Although windows are proposed to the rear elevation these are at ground floor only and therefore coupled with the distances between the dwelling and screening between the neighbours the impact caused is considered to be limited and acceptable.
- 7.12 Closed timber fencing and hedging have been suggested as screening to be used between the new dwelling and adjacent properties however it is unclear from the information submitted where this shall be placed and to what height and therefore details of the screening proposed shall be requested as a condition with the decision to ensure sufficient screening barriers are implemented between the new dwelling and neighbouring properties.

(iv) Residential amenities of the proposed dwelling

- 7.13 The layout shows how the site would be laid out and includes three parking spaces. A rear garden with a depth of 10m and a width of 15m is provided which complies with the Boroughs Design Guide and is considered to be an appropriate size. Due to the height of the proposed development and limited backland development along West Haye Road the dwellinghouse shall not be over-looked by the neighbouring dwellings as a result. No 9 has the potential to over-look the new dwellinghouse to a modest level taking into account the 15m separation and screening indicated between the dwellings; however whilst the new property would be subject to a degree of overlooking, this is to be expected in a built up area and it would nevertheless benefit from a reasonable level of private amenity space to the north of the property. Overall it is considered therefore that the impact on the development is acceptable in terms of the amenities of future residents.

(v) Highways

- 7.14 Both the new dwelling and No 9 West Haye Road would retain the required parking allowance in order to comply with the Borough's Parking SPD. The highway authority has been consulted with asking the officer to make an assessment based on the guidance in the supplementary planning guidance. From the information submitted the parking spaces can be adequately accommodated onsite in order to provide the sufficient provision required for the new dwellinghouse and No 9. Although the position of the spaces has been raised as a concern by neighbours this is considered to not result in an un-neighbourly impact as it shall be set off the boundary and have hedging between the spaces and boundary to reduce the impact caused. It is considered that subject to appropriate conditions that the development would not have a significant adverse impact on the safety and free flow of the highway network.

(vi) Developer Contributions/CIL

- 7.15 The application is liable to pay the Community Infrastructure Levy a total of £15,908.93 and the relevant forms have been sent including a draft liability notice. The applicants have completed the necessary Assumption of Liability form accepting this amount.
- 7.16 Being a new dwelling, 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.

8 Conclusion

- 8.1 The proposed scheme for an additional dwelling in the rear amenity space of No 9 is acceptable in principle and will make a modest contribution to the Council's housing requirements. Subject to appropriate conditions it is not considered that it will give rise to any acceptable amenity issues and is acceptable in highway terms. The proposal is therefore considered to accord with the relevant Local Plan and Allocations Plan policies and the guidance set out in the Borough Design Guide SPD, Parking SPD and the NPPF. The application is therefore recommended for permission.
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9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/18/00519 subject to the following conditions:-

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:
Proposed Location, Floor, Roof and Elevations Plan: Drawing No 1170.03.a
Proposed Site and Block Plan Showing Parking Provision: Drawing No 1170.04.a
Email confirmation to use a bound or concrete material for all surfacing of all open parts of the site: Received via email 24.07.2018
Reason: - To ensure provision of a satisfactory development.
- 3 No development shall commence until details of the measures to be taken to ensure that the development does not cause harm to the public infrastructure and drainage apparatus surrounding the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: The application site lies within close proximity to a public surface water sewer and as such it should be demonstrated that any proposed development will not result in harm to the public drainage apparatus. The condition is imposed having due regard to Havant Borough Local Plan (Core Strategy) 2011 policy CS19 and the National Planning Policy Framework 2018.
- 4 No development shall take place until finished floor levels for the proposed building(s) relative to agreed off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.
Reason: In the interests of the amenities of the area and having due regard to

policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework

- 5 No development hereby permitted shall commence until plans and particulars specifying the layout, depth and capacity of all foul and surface water drains and sewers proposed to serve the same, and details of any other proposed ancillary drainage works/plant (e.g. pumping stations) have been submitted to and approved in writing by the Local Planning Authority. Unless agreed otherwise in writing by the Local Planning Authority, the development hereby permitted shall not be brought into use prior to the completion of the implementation of all such drainage provision in full accordance with such plans and particulars as are thus approved by the Authority.

Reason: To safeguard the amenities of the locality and ensure that all such drainage provision is constructed to an appropriate standard and quality and having due regard to policies and proposals CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 6 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and/or a further specification of the materials to be used externally on the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 7 Notwithstanding the details submitted the materials used for the surfacing of all open parts of the site proposed including the driveway between No 9 and No 11 shall be laid with a bound or concrete material in accordance with the email submitted on 24.07.2018. The development hereby permitted shall not be brought into use until the implementation of all such hardsurfacing has been completed in full accordance with that specification.

Reason: In the interests of the amenities of the locality and having due regard to policies CS11, CS16, and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 8 No part of the development shall be first occupied until details of the type, siting, design and materials to be used in the construction of all means of enclosure including boundaries, screens or retaining walls, have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

Reason: To safeguard the amenities of the locality and occupiers of neighbouring property and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 9 The car parking, servicing and other vehicular access arrangements shown on the approved plans proposed site and block plan showing parking provision: Drawing No 1170.04.a to serve the development hereby permitted shall be made fully available for use prior to the development being first brought into

use and shall be retained thereafter for their intended purpose.

Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 10 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extension, building or structure permitted by Part 1, Classes A, B,C and E of the General Permitted Development Order, as amended, shall be erected within the curtilage of either dwelling (i.e. No 9 and the new dwelling hereby approved) without the prior written approval of the Local Planning Authority.

Reason: In the interests of the amenities of neighbouring residents and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 11 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, prior to first occupation of the building hereby permitted the windows in the ground floor on the west side elevation facing No 16 Eastoke Avenue and serving the two bathrooms and utility room shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass which obscuration level is no less than Level 4 of the Pilkington Texture Glass scale (or equivalent) and retained as such thereafter.

Reason: In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.