
Site Address:	24 Blackthorn Drive, Hayling Island, PO11 9PA		
Proposal:	Erection of 1No. 1 bed bungalow in rear garden. (Resubmission of APP/18/00075).		
Application No:	APP/18/00366	Expiry Date:	30/05/2018
Applicant:	Mr Blake		
Agent:	Mrs Clifford	Case Officer:	Daphney Haywood
Ward:	Hayling East		

Recommendation: **REFUSE PERMISSION**

1 Site Description

24 Blackthorn Drive, Hayling Island, comprises a semi detached two storey property situated on the north side of Blackthorn Drive on a corner plot just before the hammer head of the cul-de-sac. The property has an enclosed rear and side garden (bounded by walling and fencing) which backs onto a garage court. The frontage to No24 is hardsurfaced and provides for the parking of a minimum of 2 cars.

The site is level and the rear garden is mainly laid to lawn, with flower beds and small trees.

2 Planning History

96/53078/003 - Single storey side extension, canopy to front and 1.8m high brick/ timber wall to east and north boundaries, PERM,17/02/1997

APP/18/00075 - Erection of 1No. 1bedroom chalet bungalow to the rear of the property ., REF,15/03/2018

3 Proposal

Erection of 1No. 1 bed bungalow in rear garden. (Resubmission of APP/18/00075). Access would be taken off the hammerhead to Blackthorn Drive. The dwelling would comprise a lounge opening to kitchen, with one bedroom and bathroom. Parking for two cars would be provided on the front drive.

The proposed dwelling would be sited 0.85 m from the existing boundary wall to the north, virtually up to the new boundary with No 24 to the south and some 4.6m from the western boundary with No. 23 Blackthorn Drive. It would be served by a rear garden 4.6m deep by 10.3m wide. Cycle and bin storage is indicated in the north eastern corner of the plot.

4 Policy Considerations

National Planning Policy Framework
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS16	(High Quality Design)

CS17 (Concentration and Distribution of Development within the Urban Areas)
CS21 (Developer Requirements)
CS9 (Housing)
DM10 (Pollution)
DM13 (Car and Cycle Parking on Residential Development)

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

No comments to make

Community Infrastructure

This will be subject to Community Infrastructure Levy and Solent Recreation Mitigation Strategy Contribution. See the Havant Borough Council Developer Contributions Guide for additional information.

www.havant.gov.uk/planning-and-environment/planning-policy/community-infrastructure-levy/developer-contributions-guide

Crime Prevention -Minor Apps

No comments received

Highways Engineer, Development Engineer

This application should be determined by the Planning Authority using the Highway Authority's standard guidance

Public Spaces

No comments received

Waste Services Manager

The only concern is that the waste bins must be presented at the boundary of this new property regarding this planning application.

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: 12

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
Again we object to the proposal on our earlier grounds and we fully support the Council's position as stated in the Decision Notice of 15th March.	earlier grounds were:- road too narrow for further development, and out of character and these considerations are addressed in 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) Highway Implications
- (vi) CIL and SRMP considerations

(i) Principle of development

The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria.

(i) Principle of development

The site is within the urban area where Policy AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements) and Policy CS17 (Concentration and Distribution of Development within the Urban Areas) supports development on underused land within the urban area. Furthermore, Policy CS9 supports the provision of housing and the principle of development is supported, provided it is of a high quality design, the relevant contributions are provided and the proposal does not have a significant adverse effect on the neighbouring properties or the character of the area.

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

This part of Blackthorn Drive is of mixed character with 2 storey dwellings, bungalows and a garage court. In this context a bungalow would not appear out of character, and it is noted that permission has been granted for a one bedroom bungalow at 35 Blackthorn Drive (ref APP/15/01365) which involves the same type of road layout. However, it involved a larger plot. In the case of the current proposal the plot is smaller and whilst the bulk of development has now been reduced by omitting the dormers and making the roof fully hipped, plus a small reduction in ridge height of about 0.4m, the forward siting close to the road, limited garden area, and the extend of the footprint are considered to result in a cramped and congested layout, with little separation to the site boundaries. As such it would not be in keeping with the immediate form of development and it is to this regard that the proposed dwelling would be detrimental to the amenities of the area and contrary to the Borough Design Guide and Policy CS16 of the Havant Borough Core Strategy.

(iii) Impact upon residential amenity

The proposal would leave No 24 with a rear garden of 9.73m which together with the side garden would provide adequate amenity area for the existing dwelling. In respect to the bungalows to the east the proposed dwelling would be approximately 18m from these bungalows. As the proposal now involves only ground floor accommodation and the bungalows are on the opposite side of the road an acceptable relationship is achieved.

Adjoining the site to the west is the rear garden to No 23 Blackthorn Drive. The proposed dwelling would be sited 4.6m from this boundary. The current proposal is for ground floor accommodation with no first floor windows, and adequate privacy would be maintained. However, the building whilst it has been reduced in height and bulk with the roof sloping away from the boundary, would be sited very close to the boundary with No23, such that it would be dominant and imposing, extending well above the fence line.

In respect to garden provision, it is noted that the proposal is for a small one bed dwelling and as such a garden depth less than the minimum 10m depth set out in the Borough Design Guide may be acceptable if it does not adversely impact neighbours or future occupants. In this case at only 4.6m deep with a very close relationship with No23, it is considered that this would result in a cramped and congested layout to the detriment of the amenities of the future occupants of the proposed dwelling house and those of No 23. In this respect it varies from the development to the rear of No.35 in that the garden for that development was 8m deep. It is considered that activities associated with the use of the garden could be intrusive and detrimental to the amenities of No23. It is considered that the limited garden depth would be detrimental to the amenities of future occupiers and those of No23 contrary to the Borough Design Guide and Policy CS16 of the Havant Borough Core Strategy.

(iv) Highway Implications

The proposal provides for 2 parking spaces to serve the development which is in excess of the one space set out in the adopted Parking Guidelines. Whilst this part of Blackthorn Drive is relatively narrow satisfactory access can be achieved in accordance with the Highway Authority's standard guidance and a refusal on this ground cannot be substantiated.

(vi) CIL and SRMP considerations

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 (measured as gross internal area), plus indexing. It is considered that there is a CIL liability for this development, which would need to be paid prior to commencement of development.

This development would increase the number of dwellings within the 5.6km zone identified as significant in potentially increasing recreational pressure on the Solent SPA. Natural England's advice in regard all new housing development within this zone

is that it is likely to have a significant effect on the SPA. The measures of mitigation adopted by the LPA require a payment of £377 to the Solent Disturbance Mitigation Project (SDMP), plus monitoring and administration. A fee of £190 was paid under the earlier refused application which has been transferred across, however the contribution increased in April to £377, and hence the required payment has not been provided in full and additionally the required deed in respect to the current application has not been completed. Therefore the proposal does not comply with Policy DM24, and refusal on this ground is also recommended.

8 Conclusion

The proposed development within the rear garden area of 24 Blackthorn Drive would be out of character with the locality, and would be detrimental to the amenities of the future occupants of the proposal and those of the adjoining property. Additionally, the required contribution to the SDMP and deed have not been provided.

It is therefore recommended that the application be refused.

9 RECOMMENDATION:

That the Head of Planning be authorised to **REFUSE PERMISSION** for application APP/18/00366 for the following reasons

- 1 Development of the site in the manner proposed would amount to overdevelopment in that it would give rise to an unsatisfactory plot size and a cramped and congested layout that would conflict with the established pattern of development in the locality, which would not provide satisfactory living conditions for the occupants and would have an adverse effect on the amenities of occupiers of the adjoining property at 23 Blackthorn Drive. The proposal is therefore contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011. Havant Borough Council Borough Design Guide SPD 2011 and the National Planning Policy Framework 2012.
- 2 The proposal, without the completion of the appropriate binding arrangements to secure the required contribution towards the Solent Disturbance Mitigation Project, is contrary to the Council's Policy on mitigating the impacts of development which, in accordance with approved Policy DM24 of the Havant Borough Local Plan (Core Strategy) 2011 seeks to mitigate the impact of new residential development on the Solent Special Protection Area (SPA).