
Site Address:	17B New Cut, Hayling Island PO11 0NB		
Proposal:	Erection of a garden building (retrospective application).		
Application No:	APP/17/01303	Expiry Date:	30/01/2018
Applicant:	Mr D Eckford		
Agent:		Case Officer:	Harriet Pitney
Ward:	Hayling West		
Site Visit Date:			

Recommendation: **GRANT PLANNING PERMISSION IN RETROSPECT**

1 Site Description

The application site is a detached, chalet bungalow, located on the north side of New Cut, comprising elevations of brick construction with a tiled pitched roof.

The property benefits from open vehicular access to the hardsurfaced front driveway which provides off-road parking provision for 2 vehicles.

The rear garden is primarily laid to lawn and is enclosed by a close boarded timber fence which is approximately 1.8 metres in height.

The area is residential in nature with a medium density of dwellings adjacent to the site all of a varying age, style and design. The adjacent residential property to the west replicates the size, scale and design of the application site.

2 Planning History

APP/16/00092 - Demolition of existing bungalow and erection of 2No. 3 bed bungalows and associated external works. Request to Discharge Condition No.s 1,2,and 3 (16.08.16). Request to Discharge Conditions 4, 5, 6 and 7 (22.03.2017), PERM,08/04/2016

3 Proposal

This application has been submitted on a retrospective basis following an investigation by the Planning Enforcement Team. The development relates to the retention of a garden building positioned within the rear garden of 17B New Cut. It is important to note that the original planning permission under which the property was built (APP/16/00092) imposed condition 8 which sought to remove Permitted Development rights relating to Classes A,B,C,D and E of the General Permitted Development Order.

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
CS16 (High Quality Design)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Not required in relation to this 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: 6

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
<p>Whilst we do not object in principle to the structure, our concern is its dominance to the rear of our property owing to the closeness to our boundary fence and the height of the structure.</p> <p>In our view a solution could be found in either raising our fence line alongside the structure or re-siting the building. We would wish (as advised) that a Planning Officer visit our property to view the structure from our side please.</p> <p>Regarding the Application Documents, we would note that: - Block Plan - Does not show our existing new property at 17A.</p> <p>Application Form - Section 7 (1st part) - There are mature fir trees adjoining the rear boundary within falling distance.</p> <p>Location Plan - Adjoining property at 17A not shown.</p> <p>Photographs - Please note that we have additional photographs taken from 1st floor level and garden level</p>	<p>Please see section 7 of the Officer Report.</p>

that show the building from our side of the fence and in its wider garden context.	
We have viewed the planning portal site and have nothing to add regarding the additional application document dates 30.01.2018.	Please see section 7 of the Officer Report.

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) Appropriateness of design and impact on the character of the area
- (iii) Effect on neighbouring properties

(i) Principle of development

7.2 The application site is located within the defined urban area, therefore development is considered to be acceptable in principle subject to development management criteria.

(ii) Appropriateness of design and impact on the character of the area

7.3 The garden outbuilding subject of this application is positioned within the rear garden of 17b New Cut and as such is not readily visible from the public realm. On this basis, it is not considered that the development would result in any impact which would be considered detrimental to the character and appearance of the area.

7.4 The planning permission under which 17b New Cut was constructed sought to remove Permitted Development rights relating to Classes A, B,C, D and E by virtue of Condition 8. This condition was imposed in order to protect the interests of the amenity of the locality and having due regard to Policy CS16 of the HBLP (Core Strategy). It is on this basis that the development requires the benefit of formal planning permission.

7.5 The outbuilding has been positioned so that it is sited immediately adjacent to the western boundary fence (shared with 17a New Cut). The rear gardens of both properties are considered to be of a relatively limited size and as such the proposed height, size and scale of the development currently has an appearance which is considered to be relatively dominant and one which is likely to impact detrimentally on the visual amenity of the locality (therefore, at odds with Condition 8 and Policy CS16 specified above).

7.6 Having discussed these concerns with the applicant, the addition of a trellis fixed to the current boundary fence (western elevation), at a height of 400mm is proposed to be erected in order to mitigate this impact with the addition of landscaping to soften the impact of the "hard wood" appearance. This is considered to be an appropriate resolution in order to mitigate the impact on the visual amenity and is considered to be acceptable. The landscaping proposed is recommended to be controlled by way a planning condition.

7.7 On the basis of the above, the development, subject to the addition of the trellis and landscaping, is deemed to be appropriate in context with the host dwelling and is considered to be acceptable, meeting the requirements of Policy CS16 of the HBLP

(Core Strategy).

(iii) Effect on neighbouring properties

- 7.8 By virtue of the position of the outbuilding, it is not considered that the development would result in any impact such as loss of light, privacy, or create any additional overlooking to the adjacent neighbouring property (No. 17a New Cut). It is however considered that the outbuilding itself currently has an appearance which is very dominant and overbearing, particularly when viewed from the rear garden of No.17a New Cut. Concerns have been raised from the adjacent neighbouring property on this basis.
- 7.9 Having discussed these concerns with the applicant (as detailed above), the addition of a trellis, fixed to the western boundary fence, at a height of 400mm is proposed, together with additional landscaping to soften the impact of the outbuilding in this regard. It is considered that the additional screening proposed, would mitigate the impact on the adjacent neighbouring property and is therefore considered to be an acceptable resolution.
- 7.10 The rear boundary of the application site adjoins stables to the rear and as such, it is not considered that the development would result in any impact which would be detrimental in this regard.
- 7.11 The outbuilding would be sited a sufficient distance away from 19a New Cut and as such would be unlikely to result in any impact which would be considered detrimental to the neighbouring amenity of this property.
- 7.12 Consequently, it is considered that the proposal (subject to the addition of the trellis and additional landscaping), would have a limited and acceptable impact on the properties immediately adjacent to the application site and to the rear, meeting the requirements of Policy CS16 of the HBLP (Core Strategy).

8 Conclusion

- 8.1 The scale, siting and design of the development would have a limited and acceptable impact on the neighbours, would be unlikely to result in a significant adverse impact on the character and appearance of the area and is therefore considered to be appropriate and recommended for approval.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PLANNING PERMISSION IN RETROSPECT** for application APP/17/01303 subject to the following conditions;

- 1 Within one month of the date of the decision, a soft landscaping scheme shall be submitted to the Local Planning Authority for approval which specifies the distribution and species to be planted and retained along the western boundary on the trellis hereby permitted and the timing provisions for completion of the implementation of all such landscaping.
The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions. Any tree or shrub planted or retained as part of the approved landscaping scheme which dies or

is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 2 Within one month of the date of this decision, the trellis hereby permitted to the western boundary shall be erected in accordance with the approved plans (specification for the proposed trellis- received 30th January 2018). The structures shall thereafter be retained.

Reason: To safeguard the amenities of the locality 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.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:

Site location plan- received 5th December 2017

Block plan- received 5th December 2017

Proposed floor plans and elevations for outbuilding (CL.17.026- Dwg No. 01)- received 5th December 2017

Specification for the proposed trellis- received 30th January 2018.

Reason: - To ensure provision of a satisfactory development.