
Site Address:	Rear of 70 Havant Road, Hayling Island, PO11 0LH		
Proposal:	Erection of 1No. four bedroom two storey detached house with attached garage.		
Application No:	APP/18/00300	Expiry Date:	14/05/2018
Applicant:	Mr J Muddle & Mr K Mould		
Agent:	Mr Murray	Case Officer:	Daphney Haywood
	I J Murray Associates		
Ward:	Hayling West		

Recommendation: **REFUSE PERMISSION**

1 Site Description

70 Havant Road is Grade II listed and dates from the 18th century. It formed part of a farmstead that was planned as a regular 'U-shaped' courtyard. This includes a Grade II listed Granary and converted barns. The farm house fronts Havant Road which is the main road onto Hayling Island that runs north south. The application site comprises part of the side and rear garden to the farmhouse and is located on the south side of the road in the Stoke area of Hayling Island which is mainly residential in character. There are a number of trees on the site, however, these are relatively small and of limited public amenity.

2 Planning History

91/52097/016 - Single storey side extension, PERM,31/10/1991
91/52097/017 - Listed
Building consent for single storey extension, PERM,31/10/1991
91/52097/019 - Erection of detached double garage., PERM,19/12/1991
91/52097/020 - Listed
Building Consent for detached double garage., ZHIS,19/12/1991
05/52097/023 - Listed Building application to demolish and rebuild rear lobby., PERM,27/05/2005
05/52097/024 - Listed Building Application for the installation of conservation roof light in south facing roof., PERM,29/04/2005
APP/16/01271 - Erection of 1No. three bed and 3No. four bed two storey detached houses with associated garages., REF,02/02/2017
APP/17/00320 - Erection of 3No. 4 bed detached houses with associated garages. (Revised application.), REF,22/05/2017

3 Proposal

Erection of 1No. four bedroom two storey detached house with attached garage. This application has been submitted following the refusal of planning permission for 3 dwellings on the site, which was dismissed on appeal.

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 Townscape, Landscape and Seascape Character
Assessment (HBTLSA)

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)
CS20	(Transport and Access Strategy)
CS21	(Developer Requirements)
DM13	(Car and Cycle Parking on Residential Development)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

DM20	(Historic Assets)
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

The proposal would not currently comply with Requirement B5. Amendments to the access drive will be required or additional measures such as a sprinkler system will be needed. Bin storage for the new dwelling will be required.

Further details for the disabled access at the front of the property will be required.

Engineering/Drainage, Havant Council

Drainage of the field to the north of the application site relies on operation of a ditch which forms the northern boundary to the application site. In the past this has caused flooding of part of the area covered by this application. Recent drainage work by HBC using its land drainage powers has provided a piped connection from this ditch to the drainage system in Havant Road to alleviate this instance of flooding; however the pipe will lie partially under the driveway to the property and should be maintained - it is possible some further work to the pipe (private to #70) to maintain depth of cover will be required. Particular care will be required in ensuring the foul drainage connection does not affect this land drainage.

Surface water drainage from the development should be routed into the ditch; soakaways will not be appropriate given the ground conditions and availability of a positive outfall. Land drainage consent for this connection will be required from HCC.

Environmental Health Manager, Community Group

No objection

Conservation Officer, Development Control

Objection

Site

Cotterell Farmhouse is Grade II listed and dates from the 18th century. It formed part of a farmstead that was planned as a regular 'U-shaped' courtyard. This includes a Grade II listed Granary and converted barns.

The plan (including the barns and granary) adds to the historic significance of the Listed Building and its setting. Historically therefore Cotterell Farmhouse was a remote cluster of buildings. It is important that the sense of isolation from the surrounding urban expansion is retained. It should not be consumed by the expanding back land development and needs to retain its agricultural setting and changes and respect the key aspects of the unaltered plan form. The significance of Cotterell Farmhouse not only lies in its architectural value but also *in* its evidential value as a physical document of past agricultural practices and rural settlement. This allows the observer to properly appreciate the functional origins of the complex and its relationship with the surrounding agricultural land.

A traditional farmstead or farm building will have significance if it makes a positive contribution to local character and distinctiveness, whether it is designated as a heritage asset or not. It is clear in this case the Farmhouse, granary and barn make a positive contribution in their current form to the character of the area.

Policy Context

Before proceeding to consider the policy context of the NPPF, it is of primary importance that the correct weight should be attributed to the desirability of preserving the setting of the listed building from the outset, in accordance with section 66(1) of the Planning (Listed Buildings and Conservation Area) Act 1990:

"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses"

The need for the decision taker to attach considerable or special weight to the desirability of preserving the setting of listed buildings has been reinforced through two recent high court decisions of: Barnwell Manor Wind Energy Limited vs. East Northamptonshire District Council et al (2014); and North Norfolk District Council vs. DCLG and Mack (2014).

The above statute and its subsequent and consistent interpretation in recent high court decision emphasises the need for the policies of the NPPF to be implemented whilst always having regard to the need to give special or greater weight to the preservation of the setting of a listed building.

Where the impact on the setting of a listed building has been assessed in accordance with paragraphs 128 to 132 of the Framework, and has been found to fall within the category of 'less than substantial harm' (i.e. paragraph 134), then it is still important that when

considering the balance exercise, and therefore the public benefits of any such proposal, that from the outset this is consciously weighed in favour of the need to preserve the setting of the listed building.

The National Planning Policy Framework (NPPF) was published in March 2012 and sets down the policies that the Council must take into account when determining planning applications. This supersedes PPS 5, however, English Heritage (web-site 23 April 2012) advises that the Practice Guide (HEPPG) remains a valid and Government endorsed document pending Government's review of guidance supporting national planning policy as set out in its response to the select Committee".

The NPPF sets out, in paragraph 17, the 12 core planning principles that local planning authorities should consider in making planning decisions. One of these core principles relates directly to conserving heritage assets, as follows

"Planning should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;"

Paragraph 132 of the National Planning Policy Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It also goes on to state that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

Paragraph 133 provides guidance in relation to development proposals that cause 'substantial harm'. While, paragraph 134 of the National Planning Policy states that where a development will lead to 'less than substantial harm' to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

Paragraph 64 (Section 7 – Requiring Good Design) is also particularly relevant to this case in that development should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

At local level Policy CS11 of the adopted local plan applies. These policies are supplemented at national and local level by supplementary guidance. Most pertinent to the current application are:-

- The Setting of Heritage Assets (Historic England) 2017.

Assessment

The setting of a heritage asset is defined in the glossary to the Framework as the surroundings in which a heritage asset is experienced. In simple terms, setting embraces all of the surroundings from which the heritage asset can be experienced, or that can be experienced from, or with, the asset. The development proposed would be clearly visible from the listed

buildings and there would be areas within, and outside, the site where the listed buildings and the proposed development would be seen in juxtaposition. On that basis, it is clear that the proposal would have an impact on the setting of the listed building concerned.

Looking at the appeal decision from 2017 it was clear that the inspector considered the site to have a positive contribution to the significance of the heritage asset. He stated that:

“the site forms part of an attractive garden setting to No 70, which buffers it from nearby properties by providing an appreciable gap in built form on that side. This helps give No 70 some ‘breathing space’ and something of a stand-alone appearance from built development that is not historically related to the position of the farmstead. Consequently, it makes an important contribution to the setting of the listed building and the way it is perceived from the public realm.”

The setting of Cotterell Farmhouse contributes to its significance by placing it in a rural context similar to that in which it was constructed and operated. Changing the hinterland of the listed buildings from undeveloped garden land with trees and hedgerows, to one large new dwelling with garaging, would reduce the ability of the observer to appreciate the origins of the complex, and its relationship with the land. This would have a harmful impact on the setting of the listed buildings.

The dwelling itself is too large and is largely of an inappropriate design with only the front elevation bearing any resemblance to a barn. The rear outshot and garaging to the side complicates the structure making it appear more like a regular dwelling. This in turn makes the building feel particularly large in this sensitive setting.

Whilst the development proposed is reduced from the 3 dwellings originally proposed it will still be very apparent from the new access. The positioning of the structure also bears no resemblance to a farmstead and such appears out of character. It should also be noted that the building is located in a setback position. This is out of keeping with the established linear and road-facing pattern of development nearby. Again, this was borne out in December 2017 appeal decision.

Based on the information submitted, any development along these lines would impact negatively on the strong visual and spatial relationship between Cotterell Farmhouse and the surrounding land. Introducing a development, is fundamentally at odds with its rural environment. For these reasons, the proposal in its current form will be harmful to the significance of these designated and locally prominent Grade II listed building through the impact on their setting

In accordance with the NPPF I believe the degree of harm to this listed building would be significant, but on balance, less than substantial. In this context, the NPPF requires such harm to be weighed against the public benefits of the proposal.

Landscape Team, Technical Services

From a landscape perspective we do not object to the principal of this development, however we have the following comments:

- The current vernacular of plot 70 on Havant road consists of an enclosed envelope by a boundary of mature vegetation, consisting of hedgerow and trees. Whilst the entrance and access road will only punch through a proportion of this vegetation we have concerns with the compaction of existing root protection areas (RPA). The proposed location of the dwelling and access road is situated on the northern boundary which abuts to existing trees/hedgerow. We would want to see this boundary vegetation retained to conserve the enclosed nature of the plots 70/72. As such we would require an arboricultural impact assessment to ascertain what is currently existing, and this information will inform a mitigation strategy to ensure the no damage is done during construction.
- There is a lack of information with regards to proposed hard and soft landscaping details.

As such we would recommend the submission of an arboricultural impact assessment with , hard landscaping details and soft landscaping details conditions.

Development Engineer

The Highway Authority has no objection to the is application subject to the provision of the sight lines shown on drawing A102V7 and the dropped kerb is constructed to the satisfaction of the Highway Authority before construction on site is started.

Waste Strategy

waste bins need to be presented on the boundary of this property to ensure no issues occur with the waste collection

Hampshire Constabulary, Tasking & Co-Ordination Directorate

No comments received

Hampshire County Council, Planning and Development

No comments received

Historic England, South East

Consultation not required

Local Lead Flood Authority HCC, Hampshire County Council

No comments received

Previous As this application relates to a site which is less than 0.5 hectare in size (residential) and under 1000 Sq.m floor space, (fewer than 10 dwellings) or under 1 hectare in size (commercial) there is no need for us to comment on it at this time. However, please direct the applicant to our website <http://www3.hants.gov.uk/flooding/hampshireflooding/drainagesystems.htm> for further information on recommended surface water drainage techniques.

Also, please note that if the proposals include works to an ordinary watercourse, under the Land drainage Act 1991, as amended by the Flood and Water Management Act 2010, prior consent of the Lead Local Flood Authority is required for this work. This consent is required as a separate permission to planning. Details can be found <http://www3.hants.gov.uk/flooding/hampshireflooding/watercourses.htm>

Natural England Consultation Service

No comments received **Previous** No objection subject to appropriate mitigation being secured and a condition re percussive piling and works

Traffic Management Team

Traffic team has no adverse comment to make on 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: 11

Number of site notices: one

Statutory advertisement: 30/03/2018

Number of representations received: 1

Comment	Officer Comment
Gardens are not brownfield or previously developed land, so there is no presumption in favour of development (CS17). The site comprises previously "non-urban" (rural) land to the rear of No. 72.	
The revised scheme degrades the soft edge between the urban and non-urban landscape (AL2). The garden setting of No. 70 and No. 72. makes a positive contribution to the rural character	
The green gap in the urban landscape provides valued amenity and contributes to the character of the area (CS17, AL2).	
The intensification of development is detrimental to the rural setting of the Listed Building (CS11, CS16).	
The quality of the housing design and boundary treatment is extremely poor and detrimental to the setting of the Listed Building (CS11, CS16) the execution of a pastiche brick barn is very poor. It does little to complement the identity of the farm buildings	
The development still has an overbearing on the Listed Building when viewed by its neighbours (SPG) Previously the Conservation Officer commented that <i>"It is important that the sense of isolation from the surrounding urban expansion is retained. It should not be consumed by the expanding back land development and needs to retain its agricultural setting and changes and respect the key aspects of the unaltered plan form"</i> . We feel that the only way to maintain this isolation is to prevent any development of the backland at all.	
The pattern of development is not in keeping with prevailing mixture of historic buildings and 20c bungalows / character of Stoke	

(ribbon development) (CS17, CS11, CS16)	
This location is not considered sustainable with enough primary facilities within safe walking distance (CS17, AL2).	
The access driveway is substandard and sight lines measured incorrectly, and has a detrimental effect on Clarence Terrace and the setting of the listed building (DM11) and cannot fulfil the traffic design criteria for safe access (DM11). Not clear if cars can turn on site.	
The proposals risk the loss or damage to trees (CS11)	
If an approval is forthcoming, we suggest that CIL contributions should directly fund continuation of the footpath to the west of Havant Road, south of the site and a suitable crossing to promote safe pedestrian movement near the Yew Tree Inn / Daw Lane prior to commencement. all cars leaving the site directly face the principle living rooms of No. 103 and 105 Havant Road. With long waiting times to cross Havant Road this amounts to a significant loss of privacy and loss of amenity with car headlights aimed straight at the houses. At this time of year that ditch is full and is simply discharging onto Castlemans Lane (this is currently evident) and onwards into the highways surface drainage. The introduction of new hardstanding and roofscape will only exacerbate this issue during peak rainfall. There are limited survey drawings, no finish floor levels, street elevations or site sections submitted with the application. Building Heights are not given. The application form states it is not within 20m of a water course. There is a land drain running along from this site to Castlemans Lane. This already overflows in winter and floods the lane.	

Comment: Drainage is covered by the Consultee responses . Section 7 provides a consideration of the other issues.

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 on the setting of the Listed Building
- (iv) Impact upon residential amenity
- (v) Highway Implications
- (vi) Contributions and CIL

(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. Policies CS9, and CS17 of the Core Strategy together with Policies AL1 and AL2 support residential development within the built up area and the need to provide small units to meet housing demand, which is also identified in the Annual Monitoring report.

The National Planning Policy Framework (NPPF) establishes a presumption in favour of sustainable development however this should not be to the detriment of the local area.

Paragraph 6 makes it clear that regard must be had to the document as a whole in determining what the Government's view of sustainable development means in practice. It promotes the effective use of land through the re-use of previously developed land. With paragraph 49 stating that *"housing applications should be considered in the context of the presumption in favour of sustainable development."*

However, paragraph 56 makes it clear that *"Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."* Paragraph 58, bullet 4 seeks to ensure that development responds to local character, with bullet 6 requiring good architecture.

Paragraph 59 seeks to ensure the sustainable construction of the dwellings, whilst paragraphs 60 and 61 seek to ensure the development is designed well accounting for local context. Paragraph 64 however, requires development of poor design to be refused.

Policy CS16 of the Havant Borough Core Strategy Local Development Framework 2011 seeks to reflect the requirements of the NPPF at a local level. It and the local plan policies encourages the principle of development within the settlement area, provided that any new development pays proper regard to the character and appearance of the area, design and neighbour amenity

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

Stoke is a distinctly linear settlement, with dwellings of traditional construction and perpendicular orientation to the Havant Road. The character is a modest, mainly residential linear settlement set along both sides of Havant Road. Houses are mixed in size, type and age, but are principally traditional in character and appearance and face onto the road. The application site proposes residential development infill to the rear comprising a large dwelling of inappropriate design, which would erode the identified linear settlement pattern and adversely impact the attractive landscape setting currently associated with the Listed Farmhouse.

Policy CS11 Protecting and Enhancing the Special Environment and Heritage of Havant Borough states that:-

Planning permission will be granted for development that ensures the key landscape and built form principles set out in the Havant Borough Townscape, Landscape and Seascape Character Assessment are protected and where possible enhanced by partnership working with developers, groups and the wider community. The site lies within Landscape Character Type I: Enclosed Lower Harbour Plain and Landscape Character Area 30: Stoke and north-west Hayling (Havant Borough Townscape, Landscape, and Seascape Character Assessment). The guidelines for these areas advise that regard should be had to the character of the existing development and the

setting of historic building should be protected. The proposed development whilst reduced from the 3 dwellings originally proposed will still be very apparent from the new access. The positioning of the structure also bears no resemblance to a farmstead and as such appears out of character. It noted above the building is located in a setback position. This is out of keeping with the established linear and road-facing pattern of development nearby. Something that was identified in the December 2017 appeal decision. Overall, the proposed development would be harmful to the character and appearance of the area, contrary to Policy CS11 of the HBLP (Core Strategy) and the supplementary guidance.

Additionally Policy CS16 High Quality Design seeks to encourage good design and amongst other things development should:-

1. Responds to, draws inspiration from and respects local context and:
 - a) Identifies and responds positively to existing features of natural, historic or local character within or close to the proposed development site;
 - b) Integrates with existing local landscape features, promotes wildlife and biodiversity and/or applies characteristics of the local area into the design of a scheme wherever possible to create variety and interest;
 - c) Uses the characteristics of the locality to help inform the design of the new development including heights, massing, existing buildings lines, plot widths and depths, materials and proportions of windows and doors

The application whilst reducing the number of dwellings proposed to one still proposes a substantial increase of built-form and hard surfacing in a form that does not respond to the local context, nor, in the main, use the characteristics of the area or respect the landscape setting of Stoke, resulting in a visually intrusive form of development to the detriment of the character and visual amenities of the area. Overall, the proposed development would be harmful to the character and appearance of the area contrary to the provisions of Policy CS16 of the HBLP (Core Strategy).

The proposal would also be generally inconsistent with the adopted Havant Borough Design Guide Supplementary Planning Document (SPD) 2011, which among other things advises that backland and infill sites should maintain and enhance the existing character and quality of the area.

Additionally the access road is situated on the northern boundary abutting existing trees/hedgerow. In the absence of an arboricultural impact assessment to ascertain what is currently existing to inform a mitigation strategy, it is not possible to establish that there would be no damage done during construction. In the event that permission was granted a condition in this respect would be required.

(iii) Impact on the setting of the Listed Building

The setting of a heritage asset is defined in the glossary to the Framework as the surroundings in which a heritage asset is experienced. In simple terms, setting embraces all of the surroundings from which the heritage asset can be experienced, or that can be experienced from, or with, the asset. The development proposed would be clearly visible from the listed buildings and there would be areas within, and outside, the site where the listed buildings and the proposed development would be seen in juxtaposition. On that basis, it is clear that the proposal would have an impact on the settings of the listed buildings concerned.

The setting of Cotterell Farmhouse contributes to its significance by placing it in a rural context similar to that in which it was constructed and operated. Changing the hinterland of the listed buildings from undeveloped garden land with trees and hedgerows, to a large new dwelling and garaging of largely an inappropriate design with only the front elevation bearing any resemblance to a barn would reduce the ability of the observer to appreciate the origins of the complex, and its relationship with the land. This would have a harmful impact on the setting of the listed buildings.

The Planning Inspector stated that the gap to No. 78 “*helps to give No 70 some ‘breathing space and something of a standalone appearance from built development that is not historically related to the position of the former farmstead. Consequently, it makes an important contribution to the setting of the listed building and the way it is perceived from the public realm. Currently therefore, the appeal site makes a positive contribution to the significance of the heritage asset would erode the existing relatively open character of the site by the introduction of significant new built form. In my view, this would harm the setting of the nearby listed buildings, particularly No 70, and detract from their significance and the character and appearance of the local area generally.*

The proposed development would impact negatively on the strong visual and spatial relationship between Cotterell Farmhouse and the surrounding land. Introducing a development, particularly one of this scale and in such proximity to Grade II listed buildings is fundamentally at odds with its rural environment. For these reasons, the proposal in its current form will be harmful to the significance of these designated and locally prominent Grade II listed buildings through the impact on their setting, contrary to the provisions of Policy CS11 of the HBLP (Core Strategy).

(iv) Impact upon residential amenity

With regard to the impact on neighbouring residents, the neighbouring properties comprise 70, 72 and 78a Havant Road and 99-105 Havant Road on the opposite side of Havant Road. In respect to nos. 99 to 105, the development would impact views from these properties but Havant Road provides separation and the impact would not be over dominant and is considered to be limited and acceptable, meeting the requirements of Policy CS16 of the HBLP (Core Strategy).

Regarding 70, 72 and 78a, the proposed development has been designed to satisfy the Borough Design Guide in respect to separation distances and amenity space, and the access would be sited adjacent the garage to 78a away from the dwelling and the amenity area. Consequently, it is considered that the proposal is unlikely to appear overbearing or lead to overlooking and would have limited and acceptable impact on the residential amenities of these properties, meeting the requirements of Policy CS16 of the HBLP (Core Strategy).

(v) Highway Implications

The application has been the subject of a representations regarding highway access and associated safety. Visibility splay and surveyed drawings have been submitted and assessed by the Development Engineer. The proposal is not considered to result in a material impact on the local highway network and the Development Engineer has raised no objection subject to conditions.

(vi) Contributions and CIL

In relation to developer contributions, should permission have been recommended for approval it would be CIL liable. . An informative will be added in relation to CIL in the Decision Notice.

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 at the end of June 2014 require a payment to the Solent Recreation Mitigation Project and the required deed and payment have been received.

8 Conclusion

In terms of the impact on the setting of the listed building the Conservation Officer advises that the degree of harm to this listed building would be significant, but on balance, less than substantial. In this context, the NPPF requires such harm to be weighed against the public benefits of the proposal. In economic and social terms, the provision of an additional dwelling within the urban area would accord with the objectives of the NPPF and make a contribution to the Council's housing requirements as set out in the development plan and therefore should be given weight, however this is not considered to outweigh the harm to the character and appearance of the area and the setting of the Listed Building.

9 RECOMMENDATION:

That the Head of Planning be authorised to **REFUSE PERMISSION** for application APP/18/00300

for the following reasons

The proposed development by reason of its scale, height, siting and overall appearance would be visually intrusive and adversely affect the character of the area and in particular would be detrimental to the setting of the adjacent buildings which are listed as being of special architectural or historic interest. It is therefore contrary to policies C11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011, policy DM20 of the Havant Borough Publication Local Plan (Allocations) and the National Planning Policy Framework 2012.