
Site Address:	Site rear of Cranbrook Villa, Copse Lane, Hayling Island, PO11 0RJ		
Proposal:	Erection of 2No. 2 two bed bungalows with vehicular access from Copse Lane.		
Application No:	APP/18/00002	Expiry Date:	19/03/2018
Applicant:	Mr Hall Cyme Developments		
Agent:	Mr Mallen Thorns-Young Ltd.	Case Officer:	Emma Chisnall
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

3 Proposal

- 3.1 Erection of 2No. 2 two bed bungalows with vehicular access from Copse Lane.

4 Policy Considerations

National Planning Policy Framework 2012

Havant Borough Council Borough Design Guide SPD December 2011

Havant Borough Council Parking SPD July 2016

Northney and Tye Village Design Statement

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

No objection to this application. If permission is given then the Johnston AIA/AMS/TPP must be conditioned and adhered to.

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

Building Control, Havant Borough Council

Fire Authority access would not comply with Requirement B5, due to the access drive exceeding 20m without an adequate turning circle. Additional measures will be required for the properties.

A public foul sewer is located on the site but appears to be over 3m from the proposed dwellings. This should be located on site to confirm this is correct, as Southern Water consent will be required if the sewer is closer to the proposed dwellings.

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

Community Infrastructure

No comment

County Archaeologist, Strategic Environmental Delivery Group, HCC

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.

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

County Ecologist

Updated Comments:

Further to our conversation this afternoon, here is some hopefully useful information to add to your officer report. As discussed, the absence of ecological information in this case means that the LPA is not able to determine the ecological implications of this proposal. It is the applicants responsibility to ensure that the LPA is provided with sufficient information on ecological impacts in advance of determination. In accordance with Circular 06/05, ecological assessment should not be left to condition.

NPPF, Circular 06/2005 and Natural England Standing Advice on Protected Species, require that planning decisions are based on full, up-to-date ecological information and it is essential that all necessary survey, assessment and mitigation information is available to the LPA prior to determination, particularly in the case of protected species, which are a material planning consideration. This will enable the LPA to determine the application on the basis of full knowledge about the ecological impacts of the proposal and to ensure that any impacts can and will be mitigated, and are acceptable. In addition, Havant Borough Core Strategy Policy CS11 also seeks to provide protection to the Borough's ecological features through the control of development.

Previous Comments

The application is not accompanied by any ecological information and I have therefore carried out my own, non-exhaustive desk-based assessment using the application documents, online sources and recent GIS mapping. The application site comprises an area of overgrown garden which appears to contain unmanaged herbaceous vegetation, scrub and trees. Such habitats are highly likely to support protected species such as common reptiles and nesting birds. Roosting bats were recorded within the Cranbrook Villa dwelling in 2015.

I would recommend that the applicant commissions a Phase 1 ecological survey of the site: this should include an assessment of the potential for the site to support protected species (to be provided by a qualified ecologist (see Natural England guidance on finding a suitably-qualified ecologist). The Chartered Institute of Ecology and Environmental Management (CIEEM) (www.cieem.net) holds a database of suitably-qualified ecologists.

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Crime Prevention -Minor Apps

No comment

Southern Water

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.

Our initial investigations indicate that there are no public surface water sewers in the area to serve this development. Alternative means of draining surface water from this development are required. This should not involve disposal to a public foul sewer.

A formal application for connection to the public sewerage system is required in order to serve this development.

Planning Officer Comment: The application is to be refused but 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, Development 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.

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

Natural England Government Team

No objection- subject to appropriate mitigation (SRMP) being secured. Natural England recommends that this application is supported by a Biodiversity Mitigation and Enhancement Plan (BMEP), or equivalent, that has been agreed by a Hampshire County Council (HCC) Ecologist and submitted prior to any planning permission being granted. This will ensure the application meets with the requirements of the standing advice.

Planning Policy

Policy Status:

The [Local Plan \(Core Strategy\)](#) and the [Local Plan \(Allocations\)](#), together with the [Hampshire Minerals and Waste Plan](#), provide the development plan for Havant Borough. In addition, the [Local Plan Housing Statement \(LPHS\)](#) and its guiding principles, adopted December 2016, is also a material consideration.

The following policies are of relevance:

- CS17 – Concentration and Distribution of Development within the Urban Areas
- AL2 – Urban Area Boundaries and Undeveloped Gaps between Settlements

Principle of Development:

The site is located towards the northern end of Copse Lane on Hayling Island outside of the Urban Area. This proposal is addressed by Policy AL2 of the Havant Borough Allocations Plan and Policy CS17 of the Core Strategy. Policy CS17 sets out that planning permission will be granted for proposals that concentrate new housing development within the five urban areas of Havant, Leigh Park, Waterloo, Emsworth and Hayling Island. It goes on to state that Development in the non urban areas will only be permitted if it is consistent with the policies for the countryside set out in national policy.

The NPPF states that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:

- the essential need for a rural worker to live permanently at or near their place of work in the countryside; or
- where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or
- where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or
- the exceptional quality or innovative nature of the design of the dwelling. Such a design should:
 - be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;
 - reflect the highest standards in architecture;
 - significantly enhance its immediate setting; and
 - be sensitive to the defining characteristics of the local area.

The proposal for two new homes would be in the non-urban area of the borough and would not meet any of the criteria set out in national policy. As such, it is contrary to policies CS17 and AL2 and is not supported in principle.

Conclusion: Proposal not acceptable in principle

Waste Services Manager

My only concern is that a suitable location/area is found close to the boundary/highway for 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: 3

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 4 in Objection. 1 in Support

Comment	Officer Comment
Objection from Abbots Leigh regarding: * Development is contrary to the Village Design Statement and Borough Plan to build within a garden.	See section 7

* It is over-development to the site and unsafe as there is no adequate access for the fire service to attend an incident especially if the elderly were to live in the bungalows.	
Objection from NEHRA regarding: * This development is not part of the approved Borough Plan * Constitutes over development of the garden site. * Infill is not replacement it is 1 for 1. * Site lines are not possible on this dangerous bend without using neighbouring land. * Fire brigade would not be able to access the bungalows. * Any car parking and foundations to one of the dwellings could be severely affected by the trees.	See section 7
Objection from White House regarding: * Works would adversely impact neighbouring properties and the character of the area as a whole. * Approval would not be consistent with the Boroughs own design guidance. * Approval would set a precedent and allow development of additional properties on all the larger plots in the area which would lose the rural character of the area. * If applicants re-apply for 1 new dwelling it is still felt that this would be against the Boroughs own assessment and guidance and this would cause concern. * We trust you will refuse the application.	See section 7
Objections from Northwood regarding: * Development is located outside of the recognised urban development area. * The proposal is out of character with the area and is a typical example of over-development. * Proposal is against Havant Boroughs Local Plan and Northney and Tye Village Design Statement. * To approve the scheme would set a precedent. * The proposed access for 2 bungalows has been created without the benefit of planning consent. If this application is refused then the access should be closed off and land reverted to a single residential plot.	See section 7 This is under consideration by the Councils Enforcement team.

- 7.5 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, there is limited to no backland development along Copse Lane and the development of this site would lead to an intensification of the existing residential development detracting from the remaining rural character of the area.
- 7.6 Within such areas new residential development without specific justification (for example a farm workers dwelling) is normally refused. 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.
- 7.7 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, would not cause significant enough harm to the visual amenity of the area to warrant a refusal planning permission.

(iv) Effect on residential amenity

- 7.8 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 12m between the proposed development and shared boundary to the north and approximately 24m 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 4 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 as the applicants themselves have put in for the proposal they are aware of this activity and increased noise. Although an impact is considered to be made it is considered that on balance that the increase of noise would not be significant enough to warrant a refusal of the planning application.
- 7.9 Cranbrook Villa benefits from a large and generous plot which has sufficient screening along the west and east boundary. The proposed dwellings would be set a generous distance away from the neighbouring dwellings Northwood and Eventyde and due to their modest size and that they shall be set off the shared boundaries either side with adequate screening in place from extensive hedging, trees and timber panels the works are considered to not lead to a significant impact to the amenity levels of these neighbours and in relation to this aspect, would not warrant a refusal of the planning application.
- 7.10 The works are proposed to be set off the shared boundary with Lower Tye Farm to the rear by approximately 10m. The bungalow to the east is proposed to have a

large rooflight 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

7.11 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

7.12 The Development Engineer has been consulted in regards to the proposal and it was highlighted that a telephone mast was positioned to the north west corner of the application site which has the potential to cause an issue with sight lines. It is considered that an informative should be included 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 existing the site in order to ensure that this would be an acceptable part of the proposal.

(vii) Effect on protected species

7.13 The site is located in an ecologically sensitive area and as such a consultation has taken place with the Ecology Officer. No supporting information has been submitted with the application and therefore it is challenging for the Ecology Officer and Local Planning Authority to establish any ecological implications of the proposal. The Ecology Officer has commented that it is the applicants responsibility to ensure that the Local Planning Authority has this information in advance of a determination. In accordance with Circular 06/05 an ecological assessment should not be left to condition and as such is considered to warrant a refusal of the planning application.

(viii) Developer contributions

7.14 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 £28,471.59 and the applicants have completed the necessary Assumption of Liability form accepting this amount.

7.15 In addition, the development would require a contribution of £181 (plus monitoring and admin fee) to mitigate against the adverse effects from recreational disturbance on the solent SPA sites, as agreed by the Solent Recreation Mitigation Partnership (SRMP). As the recommendation is to refuse planning permission this contribution has not been received. This is reason to refuse the planning application.

(ix) Impact on trees

- 7.16 The Arboricultural Officer has been consulted in regards to the development and potential impact on the trees surrounding the application site. Comments have been made that pending the works being carried out in accordance with the supporting information that no objection is made. As the application is to be refused an informative shall be included with the decision in relation to this in the event of an appeal.

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/18/00002 subject to the following conditions:-

- 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. It is therefore contrary to policies CS9 and CS17 of the Havant Borough Local Plan (Core Strategy) 2011, policy AL2 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Statement 2012.
- 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. 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 2012.
- 3 The proposal, without completion of the appropriate binding arrangements to secure a contribution towards the Solent Disturbance Mitigation Project, is contrary to the Council's Policy on contributions towards measures of mitigation adopted by the Local Planning Authority which seeks to ensure that the provision is made from new development towards mitigating against increasing recreational pressure on the Solent SPA. It is therefore contrary to policies CS21 of the Havant Borough Local Plan (Core Strategy) 2011 and Policy DM24 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework 2012

- 4 The proposal, without any detailed submission of ecological information in relation to the application means that the Local Planning Authority is not able to determine the ecological implications of this development. It is the applicants responsibility to provide this to the Local Planning Authority with sufficient information on ecological impacts in advance of determination. In accordance with Circular 06/05, an ecological assessment should not be left to condition. The proposal is therefore contrary to policies CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.