
Site Address:	Land to the rear of 31 North Crescent, Hayling Island, PO11 9LR		
Proposal:	Erection of 1No. 1bed single storey dwelling for holiday let.		
Application No:	APP/17/00829	Expiry Date:	02/10/2017
Applicant:	Mr Webb-Jones		
Agent:	Mr Dollamore	Case Officer:	Daphney Haywood
	WHALEBACK		
Ward:	Hayling East		

Recommendation: **REFUSE PERMISSION**

1 Site Description

The application site comprises part of the former garden of No. 31 North Crescent and fronts Norman Road. The site has been fenced off from that dwelling and is currently overgrown.

No. 31 North Crescent comprises a detached bungalow with a conservatory to the rear. No. 55 Rails Lane, a modern detached, two storey house, lies immediately to the east of the site, and has access off Norman Road.

Norman Road provides access to Mengham Park and the playing fields. After the junction with Silversands Gardens the road is unsurfaced and without frontage residential development.

HBC owns a strip of land between the rear gardens of properties in North Crescent and Norman Road however, Certificated A has been completed so notice has not been served on HBC, and the application is submitted on the basis that the applicant owns all the land.

The mature Oak trees on the site are covered by TPO 1711. There are also mature trees to the south-west of the site, on the north side of Norman Road

2 Planning History

APP/11/00278

Erection of 1No. 2 bed detached bungalow with new vehicular access onto Norman Road, with cycle & bin stores. (Resubmission.) Refused and dismissed on appeal on grounds of adverse impact on the character of the area , mature trees and residential amenity.

APP/11/01130

Crown reduce lateral branches by 2.5m and crown raise to 3.5m, 2No. Oak trees within Group 1 of TPO 1711. Permission 31/08/2011.

APP/10/00645

Erection of 1No. 2 bed detached bungalow with new vehicular access onto Norman Road. Cycle and bin stores. Withdrawn.

07/67354/001

Crown reduction to eastern crown of 25% to 5No. Common Oak trees within Group 1 subject to TPO 1711. Permission 16/05/2007.

04/62673/001

Construction of 1No. 3 bed detached "chalet" style dwelling, with associated car parking and new access to Norman Road. Refused 07/06/2004 on grounds that the development would result in an overdevelopment of the site giving rise to unsatisfactory plot sizes, on the potential harm caused to protected trees and would be injurious to the amenities of the adjacent property.

03/62673/000

Erection of 3 bed detached bungalow with integral garage and access off Norman Road. Refused 16/4/2003 on grounds that the development would result in an overdevelopment of the site giving rise to unsatisfactory plot sizes, and on the potential harm caused to protected trees.

02/67354/000

Crown thin and reduce overhang on the eastern sector of 4No. Oak trees within Group 1 at No. 30 and No. 31 North Crescent subject to TPO 1711. Consent 24/6/2002.

3 Proposal

Erection of 1No. 1bed single storey dwelling for holiday let, with access from Norman Road. the application is supported by a Arboricultural Impact Appraisal and supplementary arboricultural information. .

The property would be sited approximately to 10m back into the site and orientated at approximately 45 degrees to Norman Road. Vehicular access and parking would be off Norman Road to the front of the property.

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)
CS5	(Tourism)
CS5	(Tourism)
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)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist

The site consists of a number of mature Oak trees of fair condition, which are located close to the boundaries. Objection is raised to this proposal as the development would significantly increase the pressure to prune the Oak trees and the scheme is considered to be overdevelopment of the site in Arboricultural terms. Trees would dominate the site and the living/amenity space leading to pressure to prune.

Building Control, Havant Borough Council

The timber cladding on the south-west elevation will need to be 30 minutes fire resistant.

Crime Prevention -Minor Apps

No comments received

Highways Engineer, Development Engineer

From the submitted plan it is difficult to understand if the new proposed access onto Norman Road is within the adopted highway.

I require a plan showing details of the junction which I suggest should be a dropped kerb vehicular access.

The site will require turning on site to allow vehicles to emerge in a forward gear.

Property Services Manager

Access to the south of the site, via Norman Road, goes across land owned by Havant Borough Council. The applicant will need to liaise with the Property Team to discuss formalising use of the land.

Officer note: The applicant has designed the access to be off the adopted part of the road, and has therefore completed certificate A. He has however, been advised of this consultee response in order that the ownership details can be agreed between the two parties, and if appropriate a revised application would have to be submitted.

Public Spaces

no comments received

Traffic Management, HBC

The Traffic Team has no adverse comment to make regarding this application provided the 2 proposed on site parking spaces are provided.

Waste Services Manager

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: 4

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 5

Comment	Officer Comment
To build a property on this piece of ground has already been rejected on several occasions and my previous comments are still the same. If permission is granted for access to the ground between this property and the road then there are several more along North Crescent who would also wish to have access to the back of their property. This would cause additional hazard to all the children who now use the refurbished park. Additionally the new build gives the impression that it would only be for two people but the lounge and dining room are large enough to have a folding partition and a couple of bed settees put in there to enable six or seven people to stay in their at one time. This would obviously be very noisy for the residents who live on this corner who are all retired.	Noted and see section 7
Previous applications for development on this site were objected to because to access the site you have to cross an important drainage ditch that runs along the wild life area. Other requests to cross this area have been refused, which would allow rear access for the houses backing on this area. If this submission is allowed the properties involved must also be allowed access.	Noted and see consultee responses and 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) Adequacy of the site to accommodate the development and impact on trees
- (iv) Impact upon residential amenity
- (vi) Developer contributions and other matters

(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. Additionally Policy CS5 supports the provision of development for tourism including hotels and other types of tourist accommodation.

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

With the exception of the application site this side of Norman Road is characterised by established unbroken planting. The formation of accesses and dwellings fronting

Norman Road would be out of character with the existing form of development and whilst the proposed site is located near the junction with Rails Lane and opposite two storey development at Silversands Gardens, the formation of a new access and development for a dwelling would be out of character and appear as a contrived feature in the street scene. North Crescent leads onto Norman Road which provides access to a large area of public open space at Mengham Park, as such the road is well used by pedestrians and the development would have an adverse impact on the character of the area and the approach to the Park contrary to the provisions of Policy CS16, which promotes high quality design.

(iii) Adequacy of the site to accommodate the development and impact on trees

The site is heavily treed and this has resulted in the dwelling being located in proximity to the western site boundary, with the access along side. As such the amenity area is limited in size and the dwelling would be significantly overshadowed by the mature trees on the site. Whilst it is noted that the development is for a holiday let, and any occupiers would not be permanent, the amenities of the accommodation and the external amenity area would both be adversely impacted by the trees.

The trees are a prominent feature in the local area and extensive pruning or loss of trees would be detrimental to that character. The applicant's Arboriculturalist report advises that the development could be carried out without excessive impact on the trees and the Council's Arboriculturalist agrees that the property could be constructed without harm to the trees but indicates that much of the property would be overshadowed by the trees resulting in likely future pressure by future owners to undertake works to the trees which would be difficult to resist. Such works would reduce the contribution the trees make to the environmental quality of the locality. It is noted that the additional tree information indicates that work may be required to balance the trees, and any application for consent would need to be considered on its merits. However, given the relationship between the trees and the proposed development there is likely to be conflict between the amenities of any dwelling/tourist accommodation, and the retention of the trees. As such there would be pressure to carry out works and or/remove the trees, which once residential accommodation was permitted, would be difficult to resist. Not only would there be issues of overshadowing, but there would be the nuisance of leaf fall and possible safety concerns of occupiers/owner which occurs when large trees are located close to dwellings. As such it is considered that the development would result in pressure to carry out works to the trees which would adversely impact there amenity value contrary to the provisions of Policy CS11 and DM8 which seek to protect the special environment of the Borough and existing natural features.

(iv) Impact upon residential amenity

The proposed development would be less than 6m from the rear of 31 North Crescent. The development would be single storey with a fully hipped roof and the impact in terms of loss of light and outlook would be limited and acceptable. However, the useable amenity area would be limited and has a close relationship with the adjacent properties, and as such there is potential for noise nuisance which could adversely impact the amenities of the neighbouring properties, especially as use by holiday makers may involve a different nature of activity and associated noise.

In relation to No. 55 Rails Lane, the proposed development would be in excess of 14m from the rear (west) windows at No. 55 Rails Lane. Additionally it would be at an angle and single storey and the existing trees on the boundary provide a break, and

reduce the impact of the development.

(v) Highway Implications

Norman Road serves only No. 55 Rails Lane to the northern side and Silversands Gardens to the south. The Highway Engineer raises no objection to the provision of a new access to this road subject to details of the junction and turning on site. Given the size of property 1 parking space would be required.

(vi) Developer contributions and other matters

The proposal is subject to the Community Infrastructure Levy and the Draft Liability Notice has been issued.

This development would also 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. Policy DM24 of the Allocations Plan which was adopted on 30 June 2014, covers this issue and allows for a financial contribution to be made towards mitigation measures. This is currently set at £181 per dwelling plus admin and monitoring. The required deed and payment have been provided.

8 Conclusion

The site consists of part of the former garden of No. 31 North Crescent and fronts Norman Road. The site is overgrown and is bounded by mature trees to the south and east. The latter are the subject of a TPO.

The siting of the proposed dwelling, its relationship to adjoining properties, proximity to mature trees and limited useable amenity space, would result in a cramped form of development.

While it would be possible to build a dwelling without damage to the trees, the proximity of those trees, and the likelihood that they will grow bigger, would result in pressure from future owners to lop or fell the trees, to the detriment of the appearance of the area.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **REFUSE PERMISSION** for application APP/17/00829 for the following reasons

- 1 Having regard to the size and shape of the plot, its relationship to adjoining properties and the proximity of mature trees, the proposed development would result in a cramped and contrived layout, detrimental to the visual amenities and character of the area, and upon the amenities of the future occupiers of the proposed dwelling. As such the proposal is contrary to policy CS16 of the Havant Borough Core Strategy 2011 and the National Planning Policy Framework 2012.

- 2 The layout and siting of the proposed development would result in trees important in the local landscape and subject to a Tree Preservation Order being located such as to have an excessive and over-bearing impact on amenities otherwise enjoyed by occupiers of the development, thereby putting at undue risk the long term conservation of the trees. It is therefore contrary to policies CS11, CS16 and DM8 of the Havant Borough Core Strategy 2011 and the National Planning Policy Framework 2012.