
Site Address:	14 St Hermans Road, Hayling Island, PO11 9NA		
Proposal:	Retrospective application for a wooden cabin.		
Application No:	APP/17/00012	Expiry Date:	18/04/2017
Applicant:	Mr Chisholm		
Agent:		Case Officer:	Harriet Pitney
Ward:	Hayling East		
Site Visit Date:			

Recommendation: **GRANT PERMISSION**

1 Site Description

The application site is a detached bungalow located on the southern side of St Hermans Road comprising elevations of brick construction and a concrete tiled pitched roof.

The site is slightly sloping (with a north to south decline) and benefits from open vehicular access to the front driveway which provides adequate offroad parking provision and the single storey attached garage. The front of the property also benefits from a front garden area which is laid to lawn.

The rear garden is enclosed by a timber close boarded fence which is approximately 2 metres in height and is primarily laid to lawn. Immediately adjacent to the rear boundary there are a group of protected trees which screen the outbuilding subject of this application.

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

2 Planning History

None relevant.

3 Proposal

This application has been submitted retrospectively following an investigation by the Councils Enforcement Team. The proposal seeks to retain the timber cabin located within the rear garden of 14 St Hermans Road.

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)

Havant Borough Local Plan (Allocations) July 2014

Listed Building Grade: Not applicable.
Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist

The report appears to be comprehensive and the recommendations are listed below:

Recommendations and mitigation:

a. There should be no further tree maintenance work without consultation and relevant consent of the owners and HBC. Should overhanging branches require pruning, this, with consent would be perceived as reasonable, unless works are exempt, in which case preworks notice should be given by HBC.

b. Mr Chisholm, must also avoid any further actions that could wound or cause further stress to the tree.

c. All efforts should be made to avoid all further compaction.

d. The owners should take care maintaining the garden to avoid strimmer or mower damage.

e. The tree would benefit from a maintenance schedule to include mulching and watering. This would require the owners, rather than Mr. Chisholm to take the required actions.

f. A further assessment of the tree should take place when the tree is in leaf, Oaks can be late into leaf so July or August 2017 would be reasonable.

g. An Air spade assessment of RPA which is still accessible would be useful to judge root health. However, consideration should be given to this action as further damage could occur during the operation.

h. The planting of a successor tree would be a proactive and well received action, and would go some way to compensate for any amenity loss.

My recommendation is that HBC do not undertake enforcement action in respect of the tree however Mr Chilsom should undertake the above areas and also if permission for the shed is given then it should be conditioned to plant a tree in mitigation of the potential damage caused to the TPO Oak.

This tree should be planted in a sustainable position in the garden and should be an Oak at a height of 2m.

Engineering Services, Havant Council

Clear access to the watercourse (which is an EA Main River) is required. EA consent for construction work within 8m of the main river required, has this been granted?

Environment Agency

Thank you for consulting the Environment Agency on the above application.

The application falls within the scope of our flood risk standing advice (FRSA).

Please refer to our FRSA at the following link: [FRSA for councils](#)

The applicant should include details of proposed finished floor levels that should be no lower than existing floor levels and provide details of proposed flood proofing measures to be incorporated into the design.

Advice to Local Planning Authority / Applicant:

Please note that this development may require an Environmental Permit or an exemption from an Environmental Permit from the Environment Agency. Any works located in, over, under or within 8 metres of a main river or 16m or a tidal defence, is likely to require a Flood Risk Activity Permit from the Environment Agency.

The applicant is advised to contact the National Customer Contact Centre (NCCC) on 03708 506 506

The need for an environmental permit is separate to the need for planning permission. The granting of planning permission does not necessarily lead to the granting of an environmental permit.

Further details and guidance are available on the GOV.UK website:
www.gov.uk/guidance/flood-risk-activities-environmental-permits

Please note that consent is not granted retrospectively.

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: 2

Comment	Officer Comment
1/ Our main concerns are whether the new construction could affect the flow of water in the drainage ditch? 2/ We have noticed that some considerable damage has been done to one of the Oaks and off cuts have been thrown carelessly into the ditch along with other rubbish that we have either removed or tidied up. There is currently a Tree Protection Order in place on this tree. Could you please inform us as to whether the council gave permission for this works to be carried out.	Please see section 7 of the officer report
Concerned about the size of the outbuilding. Impact of the construction on the wildlife and trees to the rear.	Please see section 7 of the officer report

The site that they erected the building replaced a shed which was approximately 6 x 6 feet. This shed had a concrete base of this size. I witnessed this concrete based being dismantled using heavy concrete breaking machinery. The footings were then dug to the size of the new concrete base, which I estimate as being 20 x 15 feet.

From our dining room which extends from our property by about 20 feet, our view of what was a beautiful landscape, has the view of the front and side elevation of this building. To obscure the view from our property we would need to erect a 20 foot fence.

The applicants have cut the protected trees which were over hanging onto the roof of their building and some have been discarded at the bottom of their garden. These trees formed a green landscape at the rear of my property and has ruined this conservation area.

I also object to the view and size of the building from my property and is a ugly over- powering feature that I cannot hide.

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
- (iv) Impact on trees
- (v) Flood risk & Drainage

(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 the usual development management criteria.

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

7.3 The timber cabin is located within the rear garden of 14 St Hermans Road, sited immediately adjacent to the rear boundary. On this basis, the outbuilding is not visible from the public realm and it is not considered that the development would result in any

impact which would be harmful to the character and appearance of the area.

- 7.4 The application site benefits from a relatively long/narrow rear garden and as such the outbuilding would be sited approximately 20 metres away from the rear wall of the dwellinghouse. The design and appearance of the proposal is therefore deemed to be appropriate in context to the main building and surrounding curtilage. However and notwithstanding the above, it is considered that the existing finish of the outbuilding (which is currently "new" timber) does not blend aesthetically with the surrounding boundary treatment and vegetation. As such, it has been conditioned that following the grant of planning permission, the outbuilding should be stained to the specified colour so that the structure integrates more favourably with its surroundings.
- 7.5 It is therefore considered that the outbuilding meets the requirements of Policy CS16 of the HBLP (Core Strategy) and the scheme would be unlikely to result in any adverse impact on the visual amenity of the surrounding locality.

(iii) Effect on neighbouring properties

- 7.6 The outbuilding is located immediately adjacent to the rear boundary and is sited approximately 20 metres away from the rear wall of the dwellinghouse and both of the adjacent neighbouring properties (No. 12a & 16 St Hermans Road). The rear of the application site abuts the boundary with No.31 Southwood Road and is well screened by a group of protected trees which run alongside the rear boundary. On this basis, it is not considered that the outbuilding would result in any loss of light, privacy or appear overbearing to any of the adjacent neighbouring properties.
- 7.7 The outbuilding is sited a sufficient distance away from all other surrounding residential properties and on this basis it is not considered that the structure would result in any detrimental impact on neighbour amenity. As such, the development is considered to meet the requirements of Policy CS16 of the HBLP (Core Strategy).

(iv) Impact on Trees

- 7.8 An Arboricultural Report has been submitted as part of this application due to the trees immediately adjacent to the outbuilding which are covered by a group protection order. On this basis, the Councils Arboricultural Officer has been consulted as part of this application who has confirmed that the report is comprehensive and has listed recommendations all of which are available to view in section 5 of this report. As part of this approval, the arboricultural report will be conditioned as well as the requirement to plant a tree in mitigation of the potential damage caused to the TPO Oak.

(v) Flood Risk & Drainage

- 7.9 The site is located within Flood Zone 3 and on this basis a Flood Risk Assessment was required as part of this application. The applicant has confirmed that the outbuilding has been positioned on a concrete plinth above the existing floor level protecting it from flooding. In addition to that, the applicant has confirmed that there is a drain within the rear garden to remove any excess water. On this basis, it is not considered that the outbuilding would be a flood risk.
- 7.10 Both the Environment Agency and the Councils Civil Engineering Team have also been consulted as part of this application in connection with drainage and have highlighted the likely requirement of an Environmental Permit. The applicant is advised to contact the Environment Agency and this has been added as an informative. The need for an Environmental Permit is separate to the need for planning permission, therefore the granting of planning permission will not necessarily result in the granting of an Environmental Permit.

8 **Conclusion**

- 8.1 The scale, siting and design of the proposal is considered to be acceptable, meeting the requirements of Policy CS16 of the HBLP (Core Strategy) and is therefore recommended for approval.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/17/00012 subject to the following conditions:

- 1 The outbuilding shall be stained with the colour "woodland green" within three months of the date of this permission and retained thereafter.
Reason: In the interests of the amenities of the area and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 2 Within three months of the date of this permission, details of the replacement Heavy Standard Oak Tree, including the location, shall be submitted to the Local Planning Authority for approval. The landscaping shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

If within a period of five years after planting any tree is removed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged, defective or diseased, another tree shall be planted at the same place, within the next planting season, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure that a suitable replacement is provided in accordance with the required standards, in order to conserve the surrounding landscape.

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

Location plan- received 3rd January 2017

Block plan- received 4th January 2017

Proposed plans and elevations (Ref: Chisholm 21-07-2016 Sheet 1 of 10)- received 3rd January 2017

Proposed plans and elevations (Ref: Chisholm 21-07-2016 Sheet 2 of 10)- received 3rd January 2017

Proposed plans and elevations (Ref: Chisholm 21-07-2016 Sheet 3 of 10)- received 3rd January 2017

Proposed plans and elevations (Ref: Chisholm 21-07-2016 Sheet 4 of 10)- received 3rd January 2017

Proposed plans and elevations (Ref: Chisholm 21-07-2016 Sheet 5 of 10)- received 3rd January 2017

Proposed plans and elevations (Ref: Chisholm 21-07-2016 Sheet 6 of 10)- received 3rd January 2017

Proposed plans and elevations (Ref: Chisholm 21-07-2016 Sheet 7 of 10)-
received 3rd January 2017
Proposed plans and elevations (Ref: Chisholm 21-07-2016 Sheet 8 of 10)-
received 3rd January 2017
Proposed plans and elevations (Ref: Chisholm 21-07-2016 Sheet 9 of 10)-
received 3rd January 2017
Proposed plans and elevations (Ref: Chisholm 21-07-2016 Sheet 10 of 10)-
received 3rd January 2017
Photograph of cabin- received 4th January 2017
Arboricultural Report- received 22nd February 2017

Reason: - To ensure provision of a satisfactory development.