
Site Address:	91 St Thomas Avenue, Hayling Island, PO11 0EU		
Proposal:	Construction of a new 2 bedroom chalet bungalow		
Application Type:	Full Planning Permission		
Application No:	APP/24/00179	Expiry Date:	07/05/2024
Applicant:	Mr Russell		
Agent:	Ms Godwin	Case Officer:	Tina Pickup
	Scandia-Hus Ltd		
Ward:	Hayling West		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 St Thomas Avenue consists of a residential cul-de-sac in the south of Hayling Island. The application site, No 91, is located at the eastern head of the cul-de-sac on a corner plot. Number 91 consists of a chalet bungalow of brick and tile construction with its tile hung gable end fronting onto the highway. Vehicular access is taken at the northern corner, and crosses a curved 'pavement' area that comprises the adopted highway. On site parking is currently provided on a hardsurfaced area in front of an integral double garage, and the remainder of the frontage is bounded by a hedge.
- 1.2 Being a corner plot the site tapers and benefits from a larger than average side garden to the north of the existing dwelling. It has a long shared boundary with number 89a, which in itself is a recent infill low profile bungalow, set back slightly - approved by APP/16/01298. The boundary with 89a comprises a high evergreen hedge. The remainder of the boundaries of the site are a mix of hedging and close boarded fencing, enclosing a large grassed and shrubed garden. The site is relatively flat and outside any current or future flood zone.
- 1.3 St Thomas Avenue is generally characterised by dwellings of a similar design, all set back with front gardens and parking behind low frontage walls, contributing to a spacious setting and a relatively uniform appearance to the street scene. As well as the infill bungalow at 89a, at the eastern end of the cul-de-sac there is another low profile bungalow constructed to the side of No 79 (planning permission 09/54381/001 refers).
- 1.4 To the rear, east, of the site are the properties in Staunton Avenue - these are generally large detached dwellings whose rear gardens extend to the eastern boundary of the application site.

2 Planning History

92/57519/000 - Erection of conservatory to rear., PERM, 14/09/1992

3 Proposal

- 3.1 Construction of a new 2 bedroom chalet bungalow
- 3.2 During the course of determining this application amended plans have been provided reducing the height of the proposal, increasing the separation to the eastern boundary,

and clarifying the shared drive, parking and turning for both the proposed dwelling and the dwelling to be retained. As such the footprint of the proposal would approximately align with, and mirror, the existing bungalow at 89a, but the proposed dwelling is higher, including a bedroom and bathroom within the roofspace.

- 3.3 The maximum footprint of the proposed dwelling would be 13.6m wide by 11.8m deep, and eaves line would be 2.4m with maximum ridge height of 5.75m. The design of the dwelling includes a fully hipped roof with crown top, a forward gable feature and a lower single storey side section is proposed. The existing access from the highway would become shared, serving both dwellings. Parking for the new dwelling would be two tandem spaces and tracking diagrams have been provided to demonstrate the ability to turn on site and leave in a forward gear. Parking for the existing dwelling would be provided by hardsurfacing the site frontage.

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)
CS17	(Concentration and Distribution of Development within the Urban Areas)
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

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

No comments

Community Infrastructure,

CIL Liable: <http://www.havant.gov.uk/community-infrastructure-levy-charging-schedule>.

Additionally, pending a response from Natural England on the 'HRA', instructions should be passed by the Case Officer to the CI Team to:

(a) Issue the Solent Recreation Mitigation Strategy Unilateral Undertaking, based on the number of additional dwellings and their respective number of bedrooms. See Unilateral Undertaking - Solent Recreation Mitigation Strategy | Havant Borough Council

b) Issue the Nutrient Neutrality Unilateral Undertaking. See <https://www.havant.gov.uk/nitrogen-developers>

Crime Prevention

None received

Southern Water

formal application required for connection to the public foul sewer
Building Control should comment on adequacy of soakaways for surface water
If any other sewer found during construction, then an investigation required to ascertain its ownership

Hampshire Highways

This site is located at the end of a cul de sac, therefore no passing vehicular movements are likely. The proposal does not include either a new access or amendment to an existing access. Therefore I confirm the Highway Authority have no objection to this proposal.

Natural England

DESIGNATED HABITATS SITES – NO OBJECTION SUBJECT TO SECURING APPROPRIATE MITIGATION

With regard to National Site Network sites, Natural England does not object to the granting of this permission subject to the advice given below.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions.

Your authority has measures in place to manage potential impacts through contributions to an agreed strategic solution which we consider to be ecologically sound. Natural England is of the view that if these measures, including contributions to them, are implemented, they will be effective and reliable in preventing harmful effects on the Habitats Site(s) for the duration of the proposed development. Mitigation measure(s) to offset any positive nutrient budget should be provided within the relevant catchment area(s).

This advice is provided on the basis that all mitigation measures will be secured as planning conditions or obligations by your authority to ensure their strict and timely implementation for the full duration of the development.

Norse South East,

None received

Nutrient Team

I can confirm there is sufficient capacity in the Council's strategic mitigation scheme to accommodate the application proposals.

Waste Services Manager

None received

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: 10

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: **16 letters of objection** have been received in total, from **9 addresses** (8 on the original plans and a further 8 on the amended plans)

Comment	Officer Comment
Comments on Original Plans:	
<u>Outlook/Privacy/</u> Would be within 2m of rear boundary line affecting outlook; imposing; affect privacy;	See section 7 on Neighbouring Amenity
<u>Height</u> Other infills single storey only; Ridge height nearly 2m higher than 89a and 3m higher than 79a; should be revised to single storey only	See Section 7 on Character of Area
<u>Character of area/overdevelopment</u> squeezed in & not in keeping with general layout of St Thomas Av which is dwellings with large gardens and open space; will be an overdevelopment with negative effect on amenity; already been a 20% increase to the original 10 dwellings in the "T" at top of St Thomas leading to increased traffic; proposes a larger bungalow than 89a on a smaller piece of land	See section 7 on Character of Area
<u>Loss of light</u> would take away evening light in garden;	See section 7 on neighbouring amenity
<u>Visual intrusion</u> of height of roof unacceptable	See section 7 on character of area
<u>Access/highways issues</u> access will affect existing off road parking of 91; access to 89a will be compromised by additional vehicular movements; access hazardous with hidden driveways; 2 cars have difficulty in passing along the narrowest part of St Thomas (between 75 & 69) and delivery drivers mount the kerb; traffic	Noted - amended plans sought to demonstrate on site parking for both dwellings more clearly - see section 7

increases will affect the pinch point; shared access means can't park in front of the garage; 1960's road width does not account for current larger vehicles;	See section 7 on Highways
<u>Parking</u> 91 is a 5 bed dwelling that may require 5 parking spaces & plot unable to support this; extra cars and visitors will have to park in road, blocking accesses and emergency vehicles; overflow parking will be a nuisance to other residents and services - the refuse vehicle will be unable to turn;	See section 7 on Parking & Highways - adopted Parking SPD met
<u>HBC Townscape, Landscape and Seascape Character Assessment, Feb 2007 document</u> quotes from this document stating should consider a designation of 'Area of Special Townscape Character' for Staunton Avenue and area to west, to allow control over infill development, inappropriate boundary treatments etc.	But area not subsequently designated
<u>Boundaries</u> seek assurances that hedge adj 89a is retained, as required when 89a constructed; boundary between existing and new build not clear, will the gardens be shared? front hedge should be retained in perpetuity;	hedge adj 89a can be conditioned to be retained; no gardens not shared - amended plans show boundaries See section 7 on character of area
<u>Construction disturbance/issues</u> construction/build duration, work hours etc would impact quality of life; construction traffic concerns; working hours, and health and safety rules should apply & a CEMP should be available	construction disturbance temporary only and any adverse nuisance dealt with by Env Health under their separate legislation
<u>First floor accommodation</u> indicated for live in carer - when no longer required will it be rented or sold separately?	No - will be integral part of the single family dwelling
<u>Disabled justification</u> sympathise with need for wheelchair access etc but this is a rather grand annexe	It is not an annexe - proposal is for a new dwelling
<u>Size of dwelling</u> Study could be used as 2nd bedroom and would be marketed as a 3 bed dwelling; could be a 4 bed dwelling	Noted - see section 7
<u>Drainage</u> concerned that will overload the	

sewage system which already gets blocked; houses under occupied compared to bedrooms and still drains block regularly; ground water - 3m soakaway proposed but where will it soak away to? ground water level fairly high with London Clay subsoil;	SW not objected so assumed sufficient capacity; other detailed drainage matters for subsequent Building Regulations
<u>Noise from Air Source heat pump</u> request sited away from our property	If any air source heat pumps installed then reasonable to condition submission of their details to ensure noise and appearance acceptable to residential amenity
<u>NPPF</u> requires electric vehicle charging infrastructure	HBC do not have an adopted policy
<u>Permitted development right removal</u> should remove pd for any further dormers	Noted - see section 7 on neighbouring amenity
<u>Devalue house</u> Would affect value of our house	Not a material planning consideration
<u>Broadband</u> this end of road unable to get speeds over 35megabits/sec; additional house will affect speeds further	Not a material planning consideration
<u>Loss of family home</u> using most of garden will mean 91 no longer suitable as a family home	91 would retain sufficient garden - see section 7
<u>Precedent</u> will set a precedent	Not a material planning consideration
<u>Other comments</u> Distorted fish eye photos not objective; Photos submitted not realistic and don't show limited parking, lack of access & confined space on road; applicant has in past submitted 5 other planning applications enlarging dwelling from 3 bed bungalow to a 5 bed house, expanding its footprint to fill the close.	Application assessed on its merits having undertaken site visits - photos indicative only and not relied on Application must be assessed on basis of current site circumstances
<u>Waste bins</u> please consider siting as adjacent a bedroom	Noted
Additional Points on Amended plans:	
<u>Access/parking</u> - plans show cars driving along footpath which would affect pedestrians; car shown parked on pavement which would reduce footpath width, affecting its use, visibility & safety, contrary to the NPPF about pedestrian and cycle movement;	Residents have misunderstood plans - parking space <u>not</u> shown on highway - the tracking plan shows route of cars to

main issues arising from this application are:

- (i) Principle of development
- (ii) Impact upon the character of the area and streetscene
- (iii) Impact upon residential amenity
- (iv) Highway Safety and parking
- (v) Compliance with Habitats Regulations
- (vi) CIL

(i) Principle of development

7.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria. The Council's Five-Year Housing Land Supply, Updated at March 2023, indicates the Borough's housing land supply position as 1.81 years with a 20% buffer applied. This shortfall engages Paragraph 11d) of the NPPF with its presumption in favour of granting permission unless there are any adverse impacts that would significantly and demonstrably outweigh the benefits. It is accepted that the proposal for one additional dwelling, within the main urban area of Hayling Island, would make a modest contribution to housing supply and this benefit of the proposal must be afforded weight in the overall planning balance.

7.3 Each application is considered on its merits and whilst there are clear similarities with previous infill developments at 79a and 89a in the same road, the current proposal must be assessed on its merits having regard to current policy and site circumstances. Whilst the supporting information indicates the proposal is required due to the medical condition of the applicant and has been designed with live-in carers in mind, this is not a material consideration. The proposal is not for an annexe but for an independent dwellinghouse that could be occupied by anyone and be available on the open market in the future, and must be assessed as such. The application is described as a 2 bed dwelling and as third party comments note the accommodation provided is flexible and rooms could in the future be used for purposes other than currently indicated - but the overall size and scale of the development is sufficiently clear to determine the application with the plans provided.

7.4 Current policies AL2 and CS17 direct development towards the built up urban areas, and encourage making the most effective use of land; and policy CS9 supports housing that achieves a suitable density that respects the surrounding landscape, character and built form. Policy CS16 seeks High Quality Design that respects its local context, and policy CS11 protects the Borough's landscapes and policy DM8 protects local habitats and trees. These policies align with National Planning Policy Framework (NPPF) and should therefore be afforded weight in the determination of the application, as detailed below:

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

7.5 The cul-de-sac is characterised by relatively uniform designed gable fronted chalet bungalows set in a regularly spaced linear line, back approximately 8m from the highway. The two existing infill bungalows at 79a and 89a are fully hipped single storey dwellings and set back on corner plots such that they are barely visible in street scene terms. The proposed dwelling would be similarly set back to 89a but include rooms in the roofspace via rooflights only, no dormers are proposed. Its siting and footprint would approximately mirror 89a, but due to the angle of vision around the corner, the roofline of the proposed dwelling would be more visible from the head of

the cul-de-sac. The roof profile would include a crown top, which would be a new architectural feature in the street scene, but the angles of vision of the crown top would be limited from the cul-de-sac. Front views of the crown top would read as a flat ridge, similar to the side addition of 91 and other examples of flat garages and dormers in the vicinity. It is only from oblique angles of the side of the roof that the crown top would be apparent. Being such slight glimpses the use of the crown top is not considered harmful to the character of the area.

- 7.6 The proposed eaves line matches the adjacent dwellings at 2.4m high, and the proposed ridge height, at 5.75m would be slightly higher than 89a (which is about 5m high) and about a metre lower than the ridge heights of the original dwellings in St Thomas Avenue. This is considered to represent a logical step in height between 89a and 91 that would not be visually jarring in street scene terms. As such there is no objection to the proposal being higher than 89a and including rooms in the roofspace. The proposed design includes the crown top on an otherwise fully hipped roof with front gable feature which has been informed by the context of the area as required by policy CS16 and is considered appropriate and visually sympathetic. The lower single storey element to the side also includes a large crown top, but has been done to keep the development as low as possible and would not be visible from any public vantage point, being screened by the dwelling itself. Materials are specified as Redland Tudor Brown concrete tiles and Vanderson 'Old Farmhouse' bricks, with Millboard cladding in limed oak and white windows. These are considered respectful and appropriate to the visual appearance of the street scene.
- 7.7 The character of the area includes low front boundary walls and largely open frontages with cars parked on drives to the sides and in front of the dwellings. Currently there is a hedge to the front of 91 which screens the frontage, but it is considered unreasonable to require that this hedge be conditioned to be retained - it is the only such frontage hedge in the road and if removed and the frontage becomes more open, then that would not be dissimilar to other frontages.
- 7.8 In terms of size of plot it is acknowledged that the subdivision of the site would result in two plots whose size would be slightly smaller than those surrounding. However it would still have a maximum garden length of 20m, tapering to 2m due to the triangular corner shape. But overall this would average at least 10m garden depth which is in accordance with the Borough Design Guide and be similar to number 89a adjacent. Furthermore the retained dwelling, number 91, would still have a garden depth of 14m, which would not be out of keeping with the wider area. It is considered that the reduced plot sizes would still be in keeping with the others in the area and would not be visually apparent or harmful from the street scene.
- 7.9 Overall it is considered that the siting and design, including height, of the proposed dwelling would not be harmful to the visual appearance of the streetscene and the subdivision of the site would be sympathetic to local character. Accordingly it is considered compliant with Policy CS16 and the NPPF.

(iii) Impact upon residential amenity

- 7.10 The proposed mirrored siting with 89a is such that the proposed dwelling would have no adverse impact by way of loss of outlook or overshadowing to this property. To keep the overall building height as low as possible the first floor accommodation is served with rooflights set at an internal height of 1.2m - this is below average eye height and therefore some views out would be possible from these roof lights. Therefore some overlooking towards 89a might be possible from this first floor

bedroom, but it should be noted that all the original dwellings in St Thomas Avenue have first floor accommodation, as do most in Staunton Avenue to the rear. The actual increased level of overlooking and affect on privacy from these rooflights is considered minimal and acceptable in a built up area. As requested by third party comments it can be conditioned that permitted development rights are removed for any new dormers in the side and rear roofslopes, as these would add to the perception of being overlooked and should be assessed via a future planning application.

- 7.11 It is further noted that the intervening hedge between the site and 89a provides valuable screening for privacy and this should be retained. The hedge's retention was conditioned on the permission for 89a and this should be repeated.
- 7.12 In terms of impact on 91 this has a blank side elevation facing the proposed dwelling. The first floor accommodation at the front of the proposed dwelling would be the stairs and bathroom only, and not result in any overlooking. The outlook from the ground floor rooms at the front would be largely over the parking and turning area and with dividing 1.8m high close boarded fence would not impact the occupiers of 91. The only potential for any noise and disturbance would be from the introduction of the parking spaces adjacent the side of 91, but vehicles to the sides and between dwellings is a common feature in St Thomas Avenue.
- 7.13 In terms of impacts to the properties in Staunton Avenue to the rear, number 8 would be most directly affected due to its siting. During the course of determining this application amended plans were provided demonstrating a separation distance of 20m from the closest point of the proposed dwelling to the conservatory of 8 Staunton Avenue. This therefore now meets the adopted Borough Design Guide SPD. It is also noted that the closest element to number 8 Staunton Avenue is a low single storey side element, and the full height of the main roof would be set further off the shared boundary. Number 8 currently enjoy a relatively open rear aspect, with the first apparent building being the side of 89 St Thomas some 50m away. The proposal would undoubtedly change this outlook and bring development, and in particular the roof profile, closer - the ridge would be about 27m from number 8's conservatory. However these dimensions all meet the adopted Design Guide SPD as representing sufficient separation to achieve an acceptable relationship between properties. In addition the height has been kept as low as possible to reduce impacts and realistically the bulk of the roof will be viewed from number 8 against the backdrop of the higher side and roof of 89 St Thomas Avenue.
- 7.14 Third party comments from Staunton Avenue also raise the noise and disturbance issue of cars deeper into the site and close to shared boundaries, but again the separation distances are such that this is not considered to result in material harm to the quiet amenity of surrounding neighbours.
- 7.15 Other third party comments note the possibility of overshadowing and loss of light to gardens - but due to the orientation of the site and the low height of the development, it is considered that only evening shadows may affect the rear garden areas of numbers 6 and 8 Staunton Avenue and this would not result in sufficient harm to amenity to justify a reason for refusal.
- 7.16 Consequently, it is considered that the proposal will not appear overbearing or lead to a loss of light, outlook or privacy and would have limited and acceptable impact on the properties immediately adjacent to the application site and the properties opposite or to the rear, meeting the requirements of Policy CS16 of the HBLP (Core Strategy).

(iv) Highways and parking

- 7.17 The proposal involves a shared access drive, when other properties in St Thomas Avenue all have their own access from the highway. In accordance with HCC's Standing Advice amended plans have been sought that demonstrate that parking for both dwellings and on site turning for the new dwelling can be achieved without blocking the shared element of the access. A tracking plan has been provided but this has caused confusion with third parties who have incorrectly understood this to show a parking space on the pavement. The car marked on the pavement on Drawing number PO1 Rev A is in fact demonstrating the route the vehicle would take across the existing hardsurfaced adopted highway to access the parking spaces in the front of 91. This is the same route as existing and the same section of the adopted highway that number 89a cross to access their drive.
- 7.18 The actual parking spaces are shown on the Site Plan Drawing Number 01 Rev G, with 2 spaces shown in tandem for the proposed dwelling, and 3 spaces for the retained dwelling number 91 - one within the existing garage and two on the frontage. The adopted Parking SPD requires 2 on site spaces for up to a 3 bedroomed dwelling, and 3 on site spaces for 4 or more bedrooms. The proposed dwelling is 2 beds (or 3 with flexible use of rooms) but the 2 spaces are sufficient to meet the Parking SPD whether its a 2 or 3 bed dwelling. The Parking SPD at para 4.11 also expressly states that tandem spaces one behind the other are acceptable.
- 7.19 The retained dwelling has 4+ bedrooms and therefore needs to provide 3 on site spaces, which it can do if the existing integral garage is used. A condition can be imposed requiring the garage to be kept clear and available for parking of 1 vehicle at all times. In addition a condition can be imposed requiring the shared access drive to be kept clear at all times, to prevent one household blocking access to the other.
- 7.20 It is further noted that there are no parking restrictions in St Thomas Avenue so despite third party objections, it is legal to park in the road and any visitors, deliveries etc can continue to do so. Within a quiet residential area the extra vehicles associated with one additional dwelling would not result in any severe harm to highway safety sufficient to justify a reason for refusal.
- 7.21 Overall it is considered that the amended plans adequately demonstrate that sufficient on site parking and turning can be achieved to meet adopted standards for both the proposed dwelling and the retained dwelling. As such the proposal is considered to comply with policy DM13, the adopted Parking SPD and the NPPF.

(v) Compliance with Habitats Regulations

- 7.22 The proposal would result in the net gain of one, three bedroom dwelling which needs to comply with the Habitats Regulations. The Council has conducted a Habitats Regulations Assessment (HRA), including Appropriate Assessment (AA), of the proposed development under Regulation 63 of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. The Council's assessment as competent Authority under those regulations is included in the case file. The screening under Regulation 63(1)(a) found that there was likely to be a significant effect on several Solent European Sites due to both the increase in recreation and the decrease in water quality that would result from the proposed development resulting in the gain of 1 additional 2 bedroom dwelling.
- 7.23 Using Natural England's updated Methodology in January 2024, the planning

application was then subject to Appropriate Assessment under Regulation 63. This included two packages of avoidance and mitigation packages. The first is a package of measures based on the suggested scale of mitigation in the Solent Recreation Mitigation Strategy. The second is a package of measures based on the Position Statement on Nutrient Neutral Development.

- 7.24 With respect to the Solent Recreation Mitigation Strategy the applicant has entered into a Unilateral Undertaking and paid the appropriate sum of £727.55 to address the potential recreational harm from the new development. Therefore it is considered that the recreational element of the impacts of development have been adequately mitigated against. With respect to the water quality issue and the Council's updated Position Statement, April 2023, the applicant has been able to also enter into the mitigation scheme at Warblington Farm to offset the nitrogen from the development. A Unilateral Undertaking has been received, together with the appropriate contribution of £2,544.42 as nutrient mitigation. This is based on the development achieving a water efficiency of 110 l/p/p/d and to ensure these measures are provided as part of the development, and for ongoing compliance, it is necessary to add 2 conditions.
- 7.25 The Appropriate Assessment concluded that this is sufficient to remove the significant effect on the SPAs which would otherwise have been likely to occur. The HRA was subject to consultation with Natural England as the appropriate nature conservation body under Regulation 63(3) who have confirmed that they agree with the findings of the assessment and raise no further objection. The Council's assessment as competent Authority under those regulations is included in the case file.

(vii) CIL

- 7.26 The development is CIL liable for the net additional internal floor space, which amounts to 137sqm. The Havant Borough Community Infrastructure Levy Charging Schedule, was adopted by the council in 2013 and the levy to be charged for this development in Hayling Island would be £100 + indexation per square metre on new floor space. The net gain in floor space amounts to 137sqm which results in a Liability of £23,302.23 but self-build exemption has been claimed. The Draft Liability Notice has been sent to the agent.

8 Conclusion

- 8.1 Due to the Borough's current housing supply position, paragraph 11d) of the NPPF is engaged which gives a presumption in favour of granting permission unless there are any significant adverse impacts that would outweigh the benefits. The provision of 1 additional dwelling would contribute to the Borough's housing need and represents a modest benefit. There would also be economic benefits arising from the construction and future spend of occupants; and a social benefit from the provision of a new household in an established residential area in a sustainable location. It is considered that there are no identified adverse impacts arising from this development that would outweigh these benefits and therefore the tilted balance benefit of this development prevails.
- 8.2 The proposal meets the Habitats Regulations with recreational and water quality impacts adequately mitigated against. Overall the proposal is therefore considered acceptable and recommended for conditional permission.

9 RECOMMENDATION:

That the Head of Place be authorised to **GRANT PERMISSION** for application APP/24/00179

(A) subject to the following conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Design, Access & Planning Statement by Scandiahus dated March 2024
Nitrogen Budget on Council's website dated 15 April 2024
Location Plan - Drawing Number P01 REV B
Proposed Site Plan - Drawing Number P01 REV G
Proposed Tracking Plan - Drawing Number P01 REV A
Proposed Ground Floor Plan - Drawing Number P02 REV G
Proposed Loft Plan - Drawing Number P03 REV E
Proposed Elevations - Drawing Number P04 REV G
Proposed Sections - Drawing Number P05 REV D

Reason: - To ensure provision of a satisfactory development.

- 3 The external materials used shall be as indicated on the submitted forms and hereby approved plans, unless otherwise agreed in writing with the Local Planning Authority.

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.

- 4 The car parking, servicing and other vehicular access arrangements shown on the approved plans to serve both the proposed development and number 91 St Thomas Avenue shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose. The shared access and turning areas shown on Drawing Number P01 Rev A shall be kept clear of obstruction at all times in perpetuity.

Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 One car parking space within the existing integral garage at 91 St Thomas Avenue shall be kept clear and available for the parking of one car at all times, and shall not be used for storage or converted to ancillary accommodation.

Reason: To ensure the retention of adequate on-site car parking to serve the existing dwelling in accordance with the adopted Parking SPD 2016 to discourage parking on the adjoining highway in the interests of local amenity and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no enlargement of the dwelling, or roof additions or dormers permitted by Schedule 2, Part 1, Class A and B of the 2015 Order as amended, shall be constructed within the side or rear roof slopes of the hereby approved dwelling without the prior approval of the Local Planning Authority.

Reason: To protect neighbours from overlooking and loss of privacy, and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, the Borough Design Guide SPD 2011, and the National Planning Policy Framework.

- 7 The existing evergreen hedge along the north-western boundary of the site, shared with number 89a, shall be retained in perpetuity and maintained at a minimum height of 2m metres and to a standard consistent with good arboricultural practice.

Reason: To ensure the maintenance of screening to the site and to protect the appearance and character of the area and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 8 No external air source heat pump(s) shall be installed at the site until and unless details of their siting, external appearance and acoustic performance have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the neighbouring property and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

9

The development hereby permitted shall not be occupied until:

- (a) A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority; and
- (b) All measures necessary to meet the approved water efficiency calculation have been installed.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further

detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. In compliance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017, the local planning authority has a duty to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council has also had regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

- 10 At all times following occupation of the development hereby approved, all measures for water usage within the submitted nutrient budget shall be maintained in the development in perpetuity.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. In compliance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017, the local planning authority has a duty to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council has also had regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.