

DELEGATED OFFICER REPORT

Site Address:	Cedar Orchard, Copse Lane, Hayling Island, PO11 0QB		
Proposal:	Change of use of mobile home for use as holiday accommodation (AirBnB).		
Application Type:	Full Planning Permission		
Application No:	APP/24/00083	Expiry Date:	17/05/2024
Applicant:	Mr P Beard		
Agent:		Case Officer:	Denise Sheath
Ward:	Hayling East		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site consists of a detached bungalow with a hipped roof. To the front is a driveway with a shed located to the western boundary. To the rear is a large outbuilding currently used as storage. A grassed area feeds down the length of the western shared boundary used as an occasional driveway to this shed/outbuilding. The western boundary consists of mature vegetation exceeding 3-4m in height. To the east the application site shares a common boundary with 'Copse View' directly to the east with 'Glenwood' to the rear eastern boundary. Within the curtilage of 'Glenwood' is a pitched roof outbuilding, thought to be 4m in height. This outbuilding is sited adjacent to the existing rear shed. The boundary consists of a 1.8m fence and high mature vegetation.

2 Planning History

APP/13/00325 - New detached double garage following removal of existing detached garage. PERM - 11/06/2013

3 Proposal

Change of use of mobile home for use as holiday accommodation (AirBnB).

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)
CS5	(Tourism)
DM10	(Pollution)
DM13	(Car and Cycle Parking on Residential Development)

Havant Borough Local Plan (Allocations) July 2014

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

Chichester Harbour Conservancy

RECOMMENDATION – No objection, subject to limiting use of the air b'n'b accommodation to 10 months of the year and maintaining a register of lettings for inspection by the local planning authority at any time to ensure that a permanent dwelling does not become established.

Being as overnight accommodation is being created, it is considered that a developer Bird Aware Solent contribution is sought from the applicant to mitigate for recreational disturbance at the shoreline of Chichester Harbour, under Policy CS11 of the adopted Borough Development Plan.

Developer Services, Southern Water

Following the review of the submitted documents, we have the below comments for the Planning consultation.

Foul and Surface Water Drainage

Southern Water requires a formal application for any new connection to the public foul sewer to be made by the applicant or developer.

To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link:

southernwater.co.uk/developing-building/connection-charging-arrangements

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 and should be in line with the Hierarchy of H3 of Building Regulations with preference for use of soakaways.

gov.uk/government/publications/drainage-and-waste-disposal-approved-document-h

It is possible that a sewer now deemed to be public could be crossing the development site.

Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

Officer comment: *If permission is granted SW's comments would be an informative on the decision notice*

Environmental Health Manager, Community Group

Thank you for consulting the Environmental Protection Team on this COU application. Please accept this email as confirmation that we have no observations to make in respect of noise or light.

However, I have forwarded this application on to my colleague in the Housing Team regarding possible caravan licensing

Southern Gas Networks - stage 1

No comments 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: 2

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 0

7 Planning Considerations

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Impact upon the character and appearance of the area
- (iii) Impact upon residential amenity
- (iv) Access and Parking
- (v) Tourism Implications
- (vi) Habitats regulations

(i) Principle of development

7.3 The application site is situated within an urban area where further development is considered acceptable in principle, subject to the usual development control criteria. The NPPF supports sustainable development with three aims: the economic; social; and environmental objectives. Havant Borough Council development plan comprises the Hampshire Minerals and Waste Plan; the Local Plan (Core Strategy) 2011 the Local Plan (Allocations) 2014, and Emsworth Neighbourhood Plan and in accordance with paragraph 11 of the NPPF decisions should be made in accordance with the development plan.

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

7.4 The proposed conversion of the existing mobile home into holiday accommodation would not result in any changes to the existing structure. This is considered to be in keeping with the context of the existing structure and the character of the area.

7.5 The proposed change of use of the ancillary mobile home to a holiday let would be located within a residential area. Due to its size and location it is not considered to have an adverse impact upon the character of the area.

7.6 The design and appearance of the proposal is deemed appropriate and is therefore considered to be acceptable, meeting the requirements of Policy CS16 of the HBLP (Core Strategy). It is considered that the scheme would not result in an adverse impact on the visual amenity of the locality.

(iii) Impact upon residential amenity

- 7.7 The proposed converted mobile home is located adjacent the rear eastern boundary with the neighbouring property to the east 'Copse View'. The mobile home is an existing structure which has been in situ for over 10 years. The mobile home is located over 22m from the rear elevation of the 'Copse View'. A boundary treatment consisting of 2m high wooden fencing with a dense natural screening of trees and shrubbery at a height of approximately 3-3.5m are located adjacent both boundaries of the application site and the neighbouring property to the east 'Copse View'. It is noted that holiday occupation can result in more opportunity to socialise with resultant disturbance. However the scale of the accommodation and proposed use, at just one double room for 10 months per year, would likely only result in couples occupying the mobile home with limited additional noise and disturbance above genuine ancillary use. The applicant notes that they would not tolerate parties or noise after 9pm and would manage arrivals would be from 2pm and departures would be from 11am - all to reduce any impacts on neighbours and themselves as occupiers of the main house.
- 7.8 Overall it is considered that the scale of the proposal is sufficiently modest to have minimal impact on the quiet amenity of the neighbours and the proposal would not result in any loss of light, outlook, or privacy and would have limited and acceptable noise and disturbance impacts on the properties immediately adjacent to the application site, meeting the requirements of Policies DM10 and CS16 of the HBLP (Core Strategy).

(iv) Access and Parking

- 7.9 The adopted Parking SPD requires 1 space to be provided per hotel/guest bedroom, which would be in addition to the parking to serve the main dwelling. The parking information provided indicates there is sufficient parking available for both the residents of the main dwellinghouse and holiday accommodation guests to the frontage of the main house. Notably there is also adequate space in the drive area for vehicles to turn, which is necessary to enable vehicles to leave the site in a forward gear, see approaching vehicles and minimise noise associated with reversing.
- 7.10 Overall it is considered that the parking and turning on site is adequate for the additional 10 Month tourist use of the site and can be considered compliant with policy DM13 and the Parking SPD.

(v) Tourism Implications

- 7.11 Policy CS5 encourages the provision of hotels and other types of tourist accommodation. The proposed conversion to a holiday let would support this policy and would improve the quality of the tourist offer in the borough.

(vi) Habitats regulations

- 7.12 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 Regulations 2017 (as amended). 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 (as defined in the applications HRA) due to both the increase in recreation and the decrease in water quality that would be a result of the proposed development.

- 7.13 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.
- 7.14. The Appropriate Assessment concluded that the avoidance and mitigation packages are sufficient to remove the significant effect on European Sites 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.
- 7.15 The applicant has completed the Unilateral Undertaking and made payment.

8 Conclusion

- 8.1 In conclusion, the proposal would not change the design and footprint of the existing caravan thus not considered to have an adverse impact upon the character of the area. It is also considered that the use would not have a negative impact upon neighbouring properties providing benefits to the local area in the form of tourism. Therefore, the proposal is recommended for approval.

9 RECOMMENDATION:

That the Head of Place be authorised to **GRANT PERMISSION** for application APP/24/00083 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:

Aerial View and Site Plan - Received 12 February 2024
Block Plan - Received 01 February 2024
Design and Access Statement - Received 28 March 2024
Floor Plan - Received 12 February 2024
Elevations - Received 12 February 2024
Parking Plan - Received 12 February 2024
Occupancy Calculator on Council's website dated 05 June 2024
Solent Nutrient Budget Calculator on Council's website dated 12 June 2024
European Site Avoidance and Mitigation Checklist on Council's website dated 5 June 2024

Reason: To ensure provision of a satisfactory development.

- 3 The accommodation hereby permitted shall be occupied for purposes ancillary to the occupation and enjoyment of the existing dwelling and for tourist holiday accommodation for up to 10 months per calendar year and shall not be used as a sole or main residence or separate unit of accommodation. A logbook must be kept of paying visitors, their arrival and departure dates, which must be made available for inspection by the Local Planning Authority upon request.

Reason: The unit of accommodation is not in a satisfactory position with insufficient amenity space to be occupied separately from the main dwelling and to monitor the 10 month per calendar year tourist use, having due regard to policies CS5 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

4

1. 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 accommodation 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.

- 5 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 accommodation 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.