

DELEGATED OFFICER REPORT

Site Address:	Littlebarn Way, Higworth Lane, Hayling Island, PO11 0QZ		
Proposal:	Replacement of existing two bedroomed prefabricated residential building with two bedroomed traditionally built bungalow.		
Application Type:	Full Planning Permission		
Application No:	APP/24/00408	Expiry Date:	26/08/2024
Applicant:	Mr Good		
Agent:	Mr Murray	Case Officer:	Kayleigh Taylor
	I J Murray Associates Ltd		
Ward:	Hayling West		

Recommendation: **GRANT PERMISSION**

1 Site Description

The application site comprises a prefabricated dwelling with brink plinth and lean to addition, set within an enclosed garden area. The site is accessed by a shared driveway with Falcon House, from Higworth lane to the south. The site is set back from Higworth Lane and is seen within the context of The Oven Campsite to the north-east, there is a low picket fence (with gate) separating the application site from the campsite. On the western site boundary there is a band of trees.

2 Planning History

None relevant.

3 Proposal

Replacement of existing two bedroomed prefabricated residential building with two bedroomed traditionally built bungalow.

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)
CS17	(Concentration and Distribution of Development within the Urban Areas)
DM10	(Pollution)
DM13	(Car and Cycle Parking on Residential Development)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable 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 received.

Community Infrastructure, Planning Policy & Urban Design

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

This application relates to a replacement dwelling. As there is no net increase in dwellings, SRMS and Nutrient Neutrality will not apply.

Biodiversity Net Gain

In England, biodiversity net gain (BNG) is now mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

Developers must deliver a biodiversity net gain of 10%. This means a development will result in more, or better quality, natural habitat than there was before development.

More information is available:

<https://www.gov.uk/guidance/meet-biodiversity-net-gain-requirements-steps-for-developers>

There are some exemptions and if an exemption is claimed this must form part of the planning application submission.

Councillor Jonathan Hulls

No comments received.

Councillor Paul Gray

No comments received.

Councillor Wilf Forrow

No comments received.

Ecologist

Comments received 23/08/24:

The application is accompanied by a completed Biodiversity Net Gain Small Sites Metric (Ian Murray, June 2024). The Metric has been completed correctly and is acceptable. However, there are matters pertaining to BNG that require further clarification.

I would request further information on the location and nature of vegetation to be lost. For example, the Metric states that a 'line of trees' and a 'native hedgerow' (together totalling 31m length) are to be lost. It would be helpful to have a site plan showing the location of these features, and for a description of them (species, height, width) to be provided – this will allow me to assess the value of the habitats to be affected and determine whether it would be preferable to retain these features in accordance with the mitigation hierarchy. These features are not shown on any submitted document. The photos submitted with the Metric are welcome, but not especially helpful in identifying the features to be affected.

BNG measures must be secured for a minimum of 30 years. Given the apparently relatively limited value (beyond the site scale) of the on-site habitats, and those to be created post development, a full legal agreement such as a Section 106 may not be appropriate. Therefore, a planning condition would be the alternative mechanism for securing BNG. However, given that the estimated BNG delivers just over the mandatory 10% uplift, it will be necessary to secure almost all BNG measures for 30 years in order for the 10% requirement to be met for the necessary period. Details of how the proposed on-site habitat features are to be managed, maintained and secured for the required 30 years period can be provided within a completed Biodiversity Gain Plan – this is a mandatory part of BNG, to be provided post-permission.

Aside from BNG, the loss of a native hedgerow and line of trees has the potential to affect legally protected species including nesting birds. Any works to remove vegetation must be carried out so as to avoid impacts. On that basis, I would recommend that the following condition be included in any future permission.

Birds' nests, when occupied or being built, receive legal protection under the Wildlife and Countryside Act 1981 (as amended). Clearance of potential nesting habitat (such as hedges, scrub, trees, suitable outbuildings etc) must be undertaken outside the bird nesting season, which extends from March to the end of August, although may extend longer depending on local conditions. If there is absolutely no alternative to doing the work in during this period then a thorough, careful and quiet examination of the affected area should be carried out by a suitably qualified person before clearance starts. If active nests are present then work must stop in that area, a suitable stand-off maintained, and clearance should only recommence once nesting activity has concluded naturally.

In summary, there is a query outstanding related to the on-site baseline habitats. Once that is resolved, the general BNG condition will apply to any permission and it will be for the applicant to provide a Biodiversity Gain Plan prior to commencement.

Comments received 25/10/2024 following amended information:

The application is accompanied by a completed Biodiversity Net Gain Small Sites Metric (Ian Murray, June 2024 but amended October 2024). The Metric has been completed correctly and is acceptable. Previous queries over the nature of habitats affected have been clarified and the outcome is now acceptable. The proposed development will result in a 10.17% increase in habitat units and a c.88% increase in hedgerow units.

BNG measures must be secured for a minimum of 30 years. Given the apparently relatively limited value (beyond the site scale) of the on-site habitats, and those to be created post development, a full legal agreement such as a Section 106 may not be appropriate. Therefore, a planning condition would be the alternative mechanism for securing BNG. However, given that the estimated BNG delivers just over the mandatory 10% uplift, it will be necessary to secure almost all BNG measures for 30 years in order for the 10% requirement to be met for the necessary period. Details of how the proposed on-site habitat features are to be managed, maintained and secured for the required 30 years period can be provided within a completed Biodiversity Gain Plan – this is a mandatory part of BNG, to be provided post-permission.

If you are minded to grant permission, can I suggest that BNG measures are secured by condition. The deemed condition states that a Biodiversity Gain Plan be submitted to and approved by the local planning authority prior to the commencement of development.

Suggested wording is as follows:

A Biodiversity Gain Plan shall be prepared in accordance with the Biodiversity Net Gain Small Sites Metric (Ian Murray, June 2024 amended October 2024) and must include:

- (1) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the on-site habitat and any other habitat;*
- (2) the pre-development biodiversity value of the on-site habitat;*
- (3) the post-development biodiversity value of the on-site habitat;*
- (4) any registered off-site biodiversity gain allocated to the development and the value of that gain in relation to the development;*
- (5) any biodiversity credits purchased for the development; and*
- (6) any such other matters as the Secretary of State may by regulations specify.*

The development shall not commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan, has been submitted to, and approved in writing by, the local planning authority. The HMMP shall include:

- (7) a non-technical summary;*
- (8) the roles and responsibilities of the people or organisation(s) delivering the HMMP;*
- (9) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;*
- (10) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and*
- (11) the monitoring methodology and frequency in respect of the created or enhanced habitat.*

Environmental Health

Based on the close proximity of neighbouring residential properties, I would ask that the following informatives be added to the decision notice, if any consent were to be granted.

Informatives:

Regarding Hours of Work:

You are hereby advised to ensure that no works or ancillary operations associated with any demolition, excavation, clearance and construction works at the development, which are audible at the site boundary, shall take place on any Sunday or Bank / Public Holiday, nor on any other day except between the following times: Monday to Friday: 8.00 – 18.00 and Saturday: 8:00 – 13.00.

This is in order to protect the occupants of nearby residential properties from noise and vibration nuisance

Regarding Bonfires:

You are hereby advised to ensure that no bonfires take place on this site, during any phase of the operation i.e. demolition, excavation, clearance and construction works. If you feel you have a legitimate reason for a bonfire, it is recommended you enquire with

the Environmental Health Pollution team, at Havant Borough Council, prior to taking this action.

This is in order to protect the occupants of nearby residential properties from smoke nuisance

Regarding Dust Control:

You are hereby advised to ensure that appropriate measures are employed for the control of any dust that might emanate from the development site. The methods of dust control should be in accordance with the guidance as laid out in the BRE Report 456 - Control of Dust from Construction and Demolition activities.

This is in order to protect the occupants of nearby residential properties from dust nuisance.

Regarding external lighting:

You are hereby advised to ensure that if any external floodlighting or other form of external lighting scheme is to be installed in connection with this development, that it shall not cause a light nuisance issue to any neighbouring property. If you should have any queries in this regard you are asked to contact the Environmental Health Pollution team, at Havant Borough Council. This is in order to protect the occupants of nearby residential properties from light disturbance / nuisance.

Environmental Services

HBC on behalf of Norse South East:

1. Access Requirements:

Access/Service Roads need to be capable of taking a 26 tonne Refuse Collection Vehicle (RCV) and allow vehicle to reverse close to bin store or containment area. Width of RCV 2.8m, maximum length 11.3m.

Drop kerbs also need to be provided to allow easy transfer of bins from store area to vehicle.

No bins to be pulled or waste carried more than 25 metres.

2. Bin Stores:

Almost all bulk bins utilised by the Authority are approximately 1.26 metres wide, therefore doors to stores need to be of 1.8 metres width to enable all types of container to be easily removed and returned.

A standard depth of 1.0 metre also applies to the majority of bulk bins, and bin stores therefore need to accommodate the required of containers measuring 1.26m x 1.0m.

NB: In 2026 food waste collections will be introduced, so consideration should be given to capacity for additional containers.

3. Bin requirements

Note: Factors such as family size and age of occupants can influence the number of bins required and it is therefore advisable that the waste Management team be asked to confirm each calculation if possible.

4. Bin sizes for Information:

a) 140 litre (plastic) - 1065mm tall x 485mm wide x 550mm deep

b) 240 litre (plastic) - 1075mm tall x 580mm wide x 725mm deep

- c) 660 litre (metal) - 1310mm tall x 1260mm wide x 730mm deep
- d) 940 litre (metal) - 1500mm tall x 1020mm wide x 975mm deep
- e) 1100 litre (metal) - 1370mm tall x 1260mm wide x 990mm deep

HCC Arboricultural Consultancy

I have no objections to the proposal.

There is one leylandii hedge to the boundary that is easily retained and protected so there is no tree loss.

If consented, please condition the erection of the tree protection fencing as shown in the TPP reference A117 prior to construction activity starting.

Norse South East, Operations Director

No comment.

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: 7

Number of site notices: 2

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
Could you please confirm how access for the building by building contractors are accessing the proposed site as higworth lane is a narrow lane and no space for large lorries to enter as no turning point due to very limited parking in the lane Can you confirm therefore that access will be given from the oven campsite to the back of the proposed and existing building	Construction Management Plan required by planning condition.

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) Standard of accommodation and amenity space
- (v) Parking
- (vi) Ecology and BNG
- (vii) Trees and landscaping
- (vii) CIL

(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.

Although vehicular access is shown from Higworth Lane, it was noted on the officer site visit that the existing residential unit reads as a static caravan associated with The Oven campsite as there is a low picket fence with gate onto the campsite. There is no recent planning history for the site, however, the land was shown to comprise a staff unit on the plans associated with application Ref: 89/52779 (Change of use of part of site from touring caravans and tents to 48 No. static park holiday homes use - refused 26/04/1990). The Agent clarified that the applicant has owned the dwelling for around 15 years and for all of that time it has a separate postal address and independent access, in addition, it has also paid its own independent council tax for all of this period. The site is also within the urban area yet the oven campsite surrounding the property is not. It is therefore considered on the balance of probabilities that the lawful use of the land is residential for one dwelling. The proposal seeks a replacement dwelling and therefore is acceptable in principle.

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

The application site is set back from Higworth Lane and is not highly visible from the public realm. It would however be seen from neighbouring properties and The Oven's Campsite.

The proposal is for a single storey dwelling with a hipped roof design. It would have a modest scale and would be an acceptable design. It would have appropriate materials comprising white rendered elevations and grey slate roof.

Overall the design and appearance of the proposal is deemed appropriate in context to the wider streetscene 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

The closest neighbouring property is Falcon House, to the immediate southwest, which shares a driveway with Littlebarn Way. The proposed replacement dwelling would be approximately 7m from the closest corner of the neighbouring extension. Given that the proposal seeks a single storey bungalow only and that the extension of the neighbouring property is at a slightly different angle to the front elevation of the proposed dwelling, officers do not consider the proposal to result in a material loss of light or overbearing impact on this neighbouring property. The proposal is for a single storey dwelling only and therefore there would be no harm by way of loss of privacy. It

is considered reasonable and necessary to impose a planning condition restricting permitted development rights to prevent roof alterations or extensions in order to retain control and prevent an adverse impact on neighbouring occupiers.

Officers are satisfied that there would be sufficient separation distances to other dwellings to prevent adverse impacts to neighbouring occupiers.

The site is close to the boundary with Oven's campsite, however as this site is used for touring caravans, motorhomes and tents only and not for residential accommodation officers are satisfied that there would be no harm to the amenities of the users of this campsite. It is noted that the bedroom windows would face onto the campsite, however, this is similar to the existing situation, furthermore owing to the nature of the use of the campsite it is not considered that there would be an adverse impact by way of loss of privacy.

Subject to conditions, 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) Parking provision and Highway Safety

Access would continue to be provided from Higworth Lane. Officers are satisfied that 2 vehicles could park within the site and there would be space for vehicles to turn, which is a betterment to the existing situation. The proposal would therefore accord with the requirements of the Parking SPD and Policy DM13 of the HBLP Core Strategy.

It is noted that a third party has commented on the narrow width of Higworth Lane and raised concerns with construction traffic. Officers acknowledge the site constraints and the narrow width of Higworth Lane and therefore recommend that a construction management plan is secured by planning condition. This precommencement condition has been agreed with the applicant's agent.

The proposed site plan shows the bin store area would be retained adjacent to the driveway. The refuse collection arrangements from Higworth Lane would remain as existing and therefore is acceptable.

(v) Standard of accommodation and amenity space

The proposed replacement dwelling would retain adequate amenity space. The dwelling would exceed the minimum floor areas set out the Nationally Described Space Standards (NDSS). The principal bedroom would measure 11sqm, which is modestly below the requirement of the (NDSS) nonetheless is considered acceptable. All habitable rooms would have adequate outlook. As mentioned in the residential amenity section of this report, whilst there would be windows close to the boundary with the campsite, this is similar to the existing situation and therefore it is considered that there would not be material reduction in privacy.

The proposal therefore provides an adequate standard of accommodation and amenity space and would accord with Policy CS16 of the HBLP Core Strategy.

(vi) Ecology and Biodiversity Net Gain (BNG)

The Council's Ecologist has reviewed the application and is satisfied with the submitted Biodiversity Net Gain Small Sites Metric. The proposed development will result in a 10.17% increase in habitat units and a c.88% increase in hedgerow units. This would be secured by planning condition.

(vii) Trees and Landscaping

The HCC Arboriculturist has raised no objection to the application subject to a condition requiring tree protection as shown on plan number A117 prior to the construction of development.

During the course of the application, the applicant has amended plans to show the proposed hedgerow within the site boundary. This hedgerow would be secured through the BNG condition.

(viii) CIL

The development is CIL liable for the net additional internal floor space, which amounts to 36sqm. 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 results in a Liability of £6,123.21. The Draft Liability Notice has been sent to the agent.

8 Conclusion

The proposed replacement dwelling would have an acceptable scale and design and would not have an adverse impact on the character of the area. It would have limited and acceptable impact on the neighbours, and is therefore considered to be appropriate, and recommended for approval.

9 RECOMMENDATION:

That the Head of Place be authorised to **GRANT PERMISSION** for application APP/24/00408 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:

A111 V2	SITE AND LOCATION PLAN	(Uploaded 01/07/24)
A115 V2	PROPOSED SITE VIEWS	(Uploaded 01/07/24)
A116 V2	PROPOSED SITE OVERVIEWS	(Uploaded 01/07/24)

A112 V2	GROUND FLOOR PLAN	(Uploaded 03/10/24)
A119 V2	PARKING AND BIODIVERSITY	(Uploaded 03/10/24)
A113 V2	PROPOSED ELEVATIONS	(Uploaded 27/05/24)
A114 V2	PROPOSED SITE SECTIONS	(Uploaded 27/05/24)
A117 V2	TREE SITE PLAN	(Uploaded 27/05/24)
Arboricultural Impact Assessment /Statement Gifford Tree Service		

Reason: - To ensure provision of a satisfactory development.

- 3 No development shall commence, including any works of demolition, until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved CMP shall be implemented and adhered to throughout the entire construction period unless any alternative is agreed in writing by the Local Planning Authority. The CEMP shall provide details of the following:
 - (a) the anticipated number, frequency and types of vehicles used during construction and access arrangements,
 - (b) the provision made for the parking of vehicles by contractors, site operatives and visitors,
 - (c) the loading and unloading of plant, materials and waste

Reason: These details are necessary pre-commencement to ensure the development proceeds in the interests of highway safety and in the interests of protecting nearby residents from nuisance during all stages of development and having due regard to policies CS20 and DM10 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework.

- 4 No development including site clearance shall commence on the site until tree protection fencing has been erected as shown on plan number A117 V2. Such fencing shall conform with BS5837:2012. Such fencing shall be maintained throughout the course of the works on the site, during which period no access, placement of materials, fuels or chemicals, soil or other materials shall take place inside the fenced off area.

Reason: To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability throughout the construction period in the interests of amenity and having due regard to policies CS11.4 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework. It is considered necessary for this to be a pre-commencement condition as tree needs to be protected prior to the demolition and construction of the development and thus go to the heart of the planning permission.

- 5 A Biodiversity Gain Plan shall be prepared in accordance with the Biodiversity Net Gain Small Sites Metric (Ian Murray, June 2024 amended October 2024) and must include:
 - (1) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the on-site habitat and any other habitat;

- (2) the pre-development biodiversity value of the on-site habitat;
- (3) the post-development biodiversity value of the on-site habitat;
- (4) any registered off-site biodiversity gain allocated to the development and the value of that gain in relation to the development;
- (5) any biodiversity credits purchased for the development; and
- (6) any such other matters as the Secretary of State may by regulations specify.

The development shall not commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan, has been submitted to, and approved in writing by, the local planning authority. The HMMP shall include:

- (7) a non-technical summary;
- (8) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- (9) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- (10) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- (11) the monitoring methodology and frequency in respect of the created or enhanced habitat.

Reason: In the interest of securing biodiversity net gain (BNG) and having regard to policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework. This decision is subject to a deemed pre-commencement BNG condition requiring a Biodiversity Gain Plan as required by legislation.

- 6 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no alteration to the roof of the dwelling hereby approved including the addition of windows permitted by Part 1, Classes B and C of the Town and Country Planning General Permitted Development Order (as amended), shall be constructed without the prior written approval of the Local Planning Authority.

Reason: In the interest of safeguarding the amenities of neighbouring occupiers and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 7 The replacement dwelling shall not be occupied until space for the parking of vehicles as shown on plan number A119 V2 have been provided, thereafter these parking spaces shall be retained for their intended purpose.

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.

- 8 The development hereby permitted shall not be constructed other than in accordance with the materials specified within the application form and plans, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that a harmonious visual relationship is achieved between the new and the existing developments having due regard to policy CS16 of the Havant Borough (Local Plan) 2011 and the National Planning Policy Framework.