
Site Address:	Land adjacent to 48 Station Road, Hayling Island, PO11 0EQ		
Proposal:	Proposed 1No. 3 bed dwelling.		
Application No:	APP/15/00037	Expiry Date:	13/04/2015
Applicant:	Mrs Wrixon	Team:	Team 2
Agent:	PWP Architects Ltd	Case Officer:	Richard Nash
Ward:	Hayling West		

Recommendation: **REFUSE PERMISSION**

1 Site Description

The application site comprises an irregularly shaped plot, located on the east side of a private access road off the northern side of Station Road. The road serves a number of properties and also provides a degree of private parking. The application site was formerly part of the residential curtilage of an adjoining dwelling to the north (48 Station Road), which was constructed at an angle to the private road, resulting in the irregular shapes of these two parcels of land.

The site is bounded by other residential properties to the south and east, with an access at its western end. The area is predominantly of a mixed residential character, although the rear part of the West Town Hotel lies opposite the site and the main West Town Centre, where there are further commercial properties along the principal Station Road frontage, is immediately south of the site. The site is currently vacant and is enclosed with a combination of fencing and walling.

2 Planning History

None relevant.

3 Proposal

The current planning application proposes the construction of a three bedroom single storey dwelling of modern design, with external amenity areas and access on to the private road to the west. During the application process an amended scheme was submitted, with a view to reducing potential impact on neighbouring amenities.

4 Policy Considerations

National Planning Policy Framework (NPPF)

Havant Borough Local Plan (Core Strategy) March 2011

CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS21	(Developer Requirements)
CS9	(Housing)
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)

Supplementary Planning Documents

Borough Design Guide (2011)

Housing (2011)

Residential Parking and Cycle Provision (2010)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist: The protected tree within the curtilage of the property to the south should not be affected by the proposal.

NB: Verbal consultation.

Building Control: None received.

Southern Water: Requires a formal application for a connection to the public foul sewer to be made by the applicant or developer. Request that should this application receive planning approval, the following informative is attached to the consent: A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire S021 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

Due to changes in legislation that came in to force on 1 October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. For further advice, the applicant is advised to contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire S021 2SW (Telephone: 0330 303 0119) or www.southernwater.co.uk.

Development Engineer: The red line must extend to the adopted Highway, which is Station Road, and if the drive is not within the developer's ownership then notices need to be served. (NB: An amended site plan and Certificate B were subsequently submitted). The Highway Authority has no objection in principle to the development. I suggest that the Planning Authority conditions the provision and retention of two parking spaces and cycle facilities in order for it to satisfy HBC parking guide.

Crime Prevention: None received.

Public Spaces Development Manager:
None received.

County Ecologist: The application is not accompanied by any ecological information and I have therefore undertaken a non-exhaustive desk-based assessment using the application documents, recent GIS mapping and online sources. The proposals will entail the construction of a single-storey detached dwelling within an existing residential garden plot. The garden appears to contain managed lawn and little other vegetation. As such, there are highly unlikely to be any ecological constraints. I have no comment to make on ecological matters.

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: 25

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 5 Objections to original scheme and 3 Objections to the amended scheme:

Summary:

Out of character in locality
Proximity to neighbouring properties
Reduction of light
Difficulty of maintenance
Overbearing height
Grass roof would become an eyesore
Overdevelopment of site
Require official determination and confirmation that there is no evidence of Japanese Knotweed on the land
No evidence that owner of private road has given permission for vehicular and pedestrian access and services to and from site
Tandem parking with no ability to turn within the property
Development of this site is 'garden grabbing'
Building could be further developed causing further impact
Production of noise, smells and fumes
Impact on ecology

Comment:

Difficulty of maintenance, grass roof maintenance, presence of Japanese Knotweed, the production of noise, smells and fumes and the rights of use of the private road are matters of good management and/or other legislation and are not therefore material planning considerations.

Further development of the site could be controlled by way of a planning condition in the event of approval of the planning application.

The other issues raised are discussed in Section 7.

7 **Planning Considerations**

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 on the application site and locality
- (iii) Impact on neighbouring amenity
- (iv) Parking and Other Matters

(i) Principle of Development

The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria. The provision of a new dwelling would contribute to the target of providing 6300 new homes across the Borough under Core Strategy Policy CS9.

The NPPF (at paragraph 48) refers to windfall development not including residential gardens, but this is concerned with restrictions on how windfall can be allowed for in predicting five-year housing supply figures. This policy does not therefore preclude the development of residential gardens per se, only their inclusion in the five-year supply calculations. Notwithstanding this, the size and shape of the application site are such that provision of a dwelling would be difficult to achieve in this case. The proposed dwelling would be to the rear of the neighbouring house, from which it appears that the site may have been severed, it is akin to a backland/tandem development, which is considered in the Havant Borough Design Guide SPD, 2011.

(ii) Impact on application site and locality

The application site is limited in size and irregular in shape. The proposed parking area would be set directly off the private road. To the rear of the parking area there would be a gate and 'thick wall', separating the public area of the site from the semi-public areas. The 'thick wall' would also include cycling and bin storage space. The proposed dwelling would comprise two wings, with a dominant curved wing using the main entrance as its focus. The subservient wing would run along the north western boundary of the site and would contain bedroom and bathroom accommodation. The arrangement of the wings allows for private garden space adjoining the southern and eastern boundaries.

This proposed layout has demonstrated innovation in fitting a reasonably sized dwelling on to the site. The design of the proposal is modern and it could not be said that there is a prevailing style of dwelling in the locality. However, the footprint of the dwelling would result in disconnected and small external amenity areas of a size that would not individually meet Borough Design Guide SPD criteria in any dimension. The Applicant's view is that, in combination, the external areas would provide a good level of quality amenity space, but it is nevertheless considered that a departure from policy to this extent could not be justified. Furthermore, the proposed layout of the development would not reflect that of local development where more regular plot shapes and generous amenity spaces predominate. The heavily built up character of the site which would result, would be out of keeping with the predominant character of the area, which comprises houses within gardens to the front and rear. The related hard-surfacing, walls and parked cars of the driveway area at the site frontage, with glimpses of the building beyond, would leave little undeveloped or garden space.

(iii) Impact on neighbouring amenity

At its closest points the proposed building would be sited at approximately 0.5 metres from the eastern and southern boundaries of the site. In each case the tallest element of the building (at approximately 2.6 metres to eaves and 3.8 metres to ridge) would be located at this closest point. The proposed building would be sited at approximately 0.6 metres from the north western boundary along its entire 20 metre length. This again includes part of the tallest element of the building (for a length of approximately 5 metres) plus a lower element at approximately 2.5 metres. This element would protrude above the existing boundary fence and would slope back to a height of approximately 3 metres before rising perpendicularly to approximately 3.7 metres. This latter highest element would be located at approximately 1.5 metres from the boundary. Because of these proximities and heights, it is considered that the proposal would have a detrimental overbearing impact on the amenities of neighbouring properties.

The Applicant has provided software generated sun studies for the proposal, which suggest there would be limited additional impact for most of the year. The Council does not have the facility to verify the accuracy of this information. However, the studies in any case suggest the proposal would result in significant shadowing to the rear garden of number 48 during Winter afternoons (where at worst all existing sunlight would be blocked) and Spring mornings. Whilst this represents a fairly limited time period, the size and irregular shape of the plot at number 48 are such that any loss of sunlight to the rear garden would be more detrimental than if the plot was larger and 'squared off'. Because of this, it is considered that the proposal would have a detrimental impact on the amenities of the neighbouring property.

The flank wall of the dwelling to the north-west of the site would be approximately 2 metres from that of the proposal. The height of the proposal would however be at its lowest immediately adjacent to the boundary. The Design Guide daylight test has been applied and the results indicate the proposed building would not in itself cause a loss of daylight to rooms within the adjoining dwelling. The proposed landscaping scheme does incorporate trees that could potentially cause such a loss of daylight. However, the planting of trees does not require planning permission and in this case could be controlled by way of a condition if the application were to be approved.

The Design Guide SPD refers to the challenges of tandem development and of maintaining sufficient separation to existing neighbours as to safeguard their amenities. In the current application, the small, segmented areas of outdoor space, and large areas of window and door openings are such that day to day activities, and use of outdoor space, will be concentrated close to neighbouring boundaries, giving rise to noise and disturbance. The proximity of the driveway parking space to serve the dwelling and use thereof, will increase activity and car movements, close to neighbours, eroding privacy and the degree of tranquility which is characteristic of the area.

The proposed siting of windows in the building would be such that overlooking should not occur. The addition of further windows could be controlled by way of a planning condition in the event of an approval.

(iv) Parking and other matters

The proposal would result in tandem parking with no ability to turn a vehicle within the

site. However, access to the site would be directly off the private road and thus the Highway Engineer has no objection to the proposal. The County Ecologist has no objection to the proposal. As a new dwelling, the proposal would be liable to Community Infrastructure Levy and Solent Disturbance Mitigation Project contributions – these matters could be resolved by way of normal process, but have not been pursued with the Applicant because of the overriding design based reasons for refusal of the application.

8 **Conclusion**

The application suite, as an irregular and tapering piece of land allows little space within which a dwelling can be erected in conformity with the Design Guide SPD. Whilst an innovative and good quality architectural design has been produced, the proposal would place the new building close to long sections of the site boundaries in a manner which is out of keeping with the area, visible above the site boundaries and creating a heavily built up appearance which is overbearing and leading to loss of light. The small and fragmented amenity spaces would retain very little separation between neighbours and would serve to concentrate outdoor activity, and noise emanating from the open doors and windows of the proposed dwelling, to the detriment of the amenities of neighbours.

9 **RECOMMENDATION:**

That the Executive Head of Planning and Built Environment be authorised to **REFUSE PERMISSION** for application APP/15/00037 for the following reasons:

- 1 Development of the site in the manner proposed would amount to a high degree of built coverage and over-development of this small and irregularly shaped site. Development would give rise to an unsatisfactory plot size and to a cramped, congested and heavily built-up layout, including extensive hard surfacing and parking space across the narrow site frontage, which would be out of keeping with and harmful to the character and appearance of the locality. The proposal is therefore contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, the Havant Borough Design Guide SPD 2011 and the National Planning Policy Framework 2012.
- 2 Having regard to the size and shape of the plot and its proximity to the site boundaries and adjoining houses and gardens, the proposed development would not maintain sufficient separation with neighbouring properties and would concentrate noise and domestic activity, such as that emanating from the use of outdoor spaces, from open windows and doors and from vehicle parking and pedestrian access, close to neighbours. Furthermore the size and extent of the building would give rise to an overbearing impact and loss of light to neighbours. This would be detrimental to the visual amenities and the quiet enjoyment of the adjoining residents and it therefore contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, the Havant Borough Design Guide SPD 2011 and the National Planning Policy Framework 2012.
- 3 The proposal, without the completion of the appropriate binding arrangements to secure a contribution towards the Solent Disturbance Mitigation Project, is contrary to the National Planning Policy Framework 2012 and the Council's Policy on mitigating the impacts of development which, in accordance with

Policy DM24 of the Local Plan, seeks to mitigate the impact of new residential development on the Solent Special Protection Area.