
Site Address:	Plot 1 - The Retreat, Croft Lane, Hayling Island		
Proposal:	Demolition of existing stable block and erection of 1No. dwelling incorporating swimming pool and detached double garage.		
Application No:	APP/16/00583	Expiry Date:	01/09/2016
Applicant:	Mr Milburn		
Agent:		Case Officer:	Heather Lealan
Ward:	Hayling West		

Recommendation: **GRANT PERMISSION**

1 Site Description

This application concerns Plot 1 Land Adjacent to The Retreat, Croft Lane. The whole site, as considered at outline planning stage, is located at the northern end of Croft Lane, a private unmade road that serves a small number of residential properties and a small equestrian centre/stables. This site is within the urban boundary. The site subject to this application is one half of the outline plot and is currently un-maintained to a large degree, plot 1 contains an unused pig-sty and stable building. To the north of the site is a paddock which lies outside of the urban area, to the east is the equestrian/stables which also lie outside of the urban area. To the south of the site is the existing single storey building which is The Retreat and to the west are the two storey chalet style detached dwelling houses that front onto the main Havant Road in a linear form of development.

The site boundaries are treated by a mix of low walls, fencing and mature vegetation.

2 Planning History

APP/15/01372 - Application for Certificate of Lawfulness relating to existing siting of 1No. 3 bed mobile home and its use for habitable accommodation associated with the use of land., REF,07/07/2016

APP/16/00058 - Reserved matters application for the development of Plot 2 and erection of new garage utilising access onto Croft Lane following Outline Application APP/13/00277 (Condition 3(i)(a) and (b) refers)., PERM,01/07/2016

APP/16/00027 - Siting of an additional (second) mobile home for accommodation for an extra groom (retrospective application)., DEL,

APP/16/00547 - Extension and conversion of existing outbuilding to form ancillary accommodation to the main dwelling., PERM,21/07/2016

3 Proposal

Demolition of existing stable block and erection of 1No. dwelling incorporating swimming pool and detached double garage.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS14	(Efficient Use of Resources)
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS21	(Developer Requirements)
CS9	(Housing)
DM10	(Pollution)
DM12	(Mitigating the Impacts of Travel)
DM13	(Car and Cycle Parking on Residential Development)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)
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Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Environment Agency

No objection

Engineering/Drainage

Southern Water need to be consulted with regard to the provision of the swimming pool and the high water table effect on uplift of pool. Otherwise no drainage objection

Hampshire Fire & Rescue

Access to the site must be in accordance with approved document B5 of the current building regulations. Hampshire fire and rescue would recommend consideration be given to sprinkler system.

Officer Comment - This is a matter for building control.

Building Control

Possible unprotected area issue on west elevation due to timber construction. May be issue with Fire Access that will need to be addressed at BC stage.

Officer Comment - Applicant has been advised accordingly

Natural England

Objection on the grounds on impacts on Natura 2000 site

Officer Comment - When the NE were initially consulted an area of land outside the designated area was included within the application, this land has now been removed from the application redline and the site is now the same site area as previously permitted at outline. The case officer has contacted Felicity Bingham and she has confirmed that the NE remove the objection now that the reline has been amended.

Development Engineer

No comment except provision must be made for vehicles to emerge in a forward gear.
Condition 3 parking spaces.

Waste Services Manager

No objection

Environmental Health

Request contamination condition;

In the event that suspected contamination (soil, groundwater or buried waste materials) is encountered during groundwork; works in affected areas of the site shall cease until a scheme to deal with the risks associated with the suspected contamination has been submitted to and approved in writing by the Local Planning Authority.

The scheme may comprise separate reports/statements as appropriate, but unless specifically excluded in writing by the Local Planning Authority, shall include;

1) Investigation in the vicinity of suspected contamination, sufficient to characterise its nature, likely extent & mobility,

2) An appropriate assessment of the risks to all receptors that may be affected, based upon 1), and;

3) Where potentially unacceptable risks are identified by 2), a Remediation Strategy that includes appropriately considered remedial objectives and clearly defined proposals for achieving these, having due regard to sustainability

All assessments, works, monitoring & other actions required by 1)-3) above (and B, below) shall be undertaken by competent persons, and the scheme shall be implemented as approved.

Prior to the occupation of any relevant part of the permitted development, EITHER of the following shall be submitted to the Local Planning Authority;

A. A statement confirming that no suspected contamination was identified during development,

OR;

B. Documentation in accordance with 1)-3) above; together with a Verification Report (where appropriate) demonstrating that remediation objectives have been met.

Reason: Having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework, there is a potential for contamination to exist at the site within made ground which could pose a risk to occupants

Request condition regarding noise;

As there are other residential properties in close proximity to this site, any proposal relating to the installation of potential noise generating plant / equipment such as air source heat pumps, swimming pool pumps and filtration systems, airconditioning units and the like, shall be agreed and approved in writing by the Local Planning Authority prior to any development taking place.

Reason: in the interests of protecting the occupants of nearby residential properties from noise and vibration nuisance. Any acoustic reports should be based on the principles of the BS4142 - 2014 requirements

Noise resulting from the use of any/all plant, machinery or equipment should not exceed the principle of No Observable Effect Level (NOEL), when measured according to the above standard.

Crime Prevention

No comment

Southern Water

Add informative regarding sewer connection. Condition required regarding surface water drainage. The applicant will need to agree swimming pool discharge with Southern Water. If any sewer is found on site during works it is possible that could now be deemed to be public.

County Ecologist

The application is accompanied by ecological letter report (PV Ecology, July 2016) which describes the results of an updating Phase 1 ecological survey visit to the application site (to supplement a previous survey visit in 2012). The update concludes that the site has not materially changed since 2012 except for the development of habitat which may be favourable to common reptile species. Therefore, a Phase 2 reptile survey was conducted and the results of this are presented in a separate report (PV Ecology, September 2016).

No reptiles were recorded on site and it is therefore concluded that reptiles are likely to be absent. If you are minded to grant permission can I suggest that the ecological mitigation measures recommended within the report are secured by condition.

Development shall proceed in accordance with the ecological mitigation measures detailed within Phase 2 reptile survey (PV Ecology, September 2016) unless otherwise agreed in writing by the Local Planning Authority. Development shall then proceed in strict accordance with any agreed strategy. Reason: to provide ecological protection and enhancement in accordance with the Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Core Strategy March 2011.

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: 26

Number of site notices: One

Statutory advertisement: Not applicable.

Number of representations received: 2

Summary:

(a) Loss of view - resiting of double garage would assist. *This is not a material reason to refuse a planning application.*

(b) FFL require a 450mm increase on existing levels due to FRA requirements submitted for outline application. This will increase dominance of house and garage.

(c) Concerns regarding reinstatement of drainage ditch and increase in mosquitoes. a more sophisticated drainage solution is required for this site.

(d) Concerns regarding swimming pool drainage and general drainage of the site - run off could be created on neighbouring land

(e) Loss of wildlife on the site.

- (f) Request planning condition that requires that extraction spoil be removed from the site. *Such a condition is not required as a site levels condition will cover this.*
- (g) Request condition regarding plant pool noise. *noted*

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 streetscene
- (iii) Impact upon residential amenity
- (iv) CIL and SRMP
- (v) Flood risk and drainage.

(i) Principle of development

The proposal is a revised full application following the approval of a Outline Matters application. It is noted that the layout has been amended but not significantly from the previous outline consent. The principle of development has therefore already been established by outline planning permission. The site red line has been amended from that as initially submitted so that it is wholly within the urban boundary and in accordance with the outline scheme.

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

The previous consent has established the principle of redevelopment of the site. The proposed dwelling has been sited in the plot to acknowledge the amenities of adjoining properties and the main primary room windows face out over the paddock to the north; thus providing good amenity for the future occupiers of the dwelling whilst protecting the amenities of the occupiers of the surrounding dwellings. The overall bulk of the development has increased. However it is not considered that this increase is significant or harmful in planning terms. Sufficient rear garden remains to the rear and side .

(iii) Impact upon residential amenity

It is not considered that the appearance and scale of development will cause an unacceptable detriment to the amenities of the surrounding residential properties. It is considered that the siting is such that sufficient separation distance exists between the proposed dwelling and all adjacent neighbouring dwellings to preserve satisfactory levels of light, outlook and privacy. The closest neighbouring dwelling being those on Havant Road with a rear to side elevation separation distance in excess of 10m (10m minimum separation recommended in the Borough Design Guide SPD). The chalet style nature of the development allows for the 450 FFL required.

(iv) CIL and SRMP

The Solent Recreation Mitigation Project payment has been received along with the required signed agreement. The applicant has completed a CIL self build exemption form.

(v) Flood risk and drainage.

The site is in Flood Zone 1 (low risk) and the EA and Drainage Engineer were consulted at the time of the previous applications with specific regard to neighbour consultation responses raising concerns about flooding. The drainage engineer considered that the ditch system on which the drainage relies is prone to becoming tidelocked at high tide and in times of heavy rain the system is unable to cope with removal of the rainwater. It is also probable that some of the boundaries seen on the plans are former field boundaries and would have been expected to have had associated ditch systems, which no longer exist. However, this is a wider issue in regard to the ditch maintenance of the locality and it is not considered to be a valid reason to refuse this application. It should be demonstrated at discharge of condition stage how rainwater will drain on site, this solution will need to take account of how the pool will effect the high water table.

Southern Water require that consent is gained from them with regard to the emptying of the proposed pool

EA confirmed no objection to the outline application in regard to the flood risk to future occupants and so long as a FFL of 4.4m is demonstrated.

8 Conclusion

- 8.1 The proposed scheme would provide an acceptable relationship to the buildings and spaces surrounding the site and would not harm the amenity of the neighbouring properties in terms of outlook, loss of light or privacy. It is therefore recommended that approval is granted subject to conditions.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/16/00583 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 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or a full specification of the materials to be used externally on the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

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

Site location plan Unique plan Ref: #00130123-CFBA28- received 8th July 2016

Proposed site plan - received 19th October 2016

Proposed elevations x 2 (HHEEWE3)- received 19th October 2016

Proposed floor plans (HHGFP4)- received 19th October 2016

Proposed roof plan (HHRP3)- received 19th October 2016

Phase 1 Ecological Assessment PV Ecology- received July 2016

Phase 2 Reptile Survey Ecological Assessment PV Ecology- received September 2016

Reason: - To ensure provision of a satisfactory development.

- 4 The car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted 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.

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 No development hereby permitted nor any related site clearance shall commence until plans and particulars specifying the provision to be made for a material storage compound within the site have been submitted to and approved in writing by the Local Planning Authority. The approved compound shall be available prior to the commencement of any building works and throughout the contract period, and no materials shall be stored anywhere else on the site.

Reason: To safeguard the amenities of the locality and to avoid damage to the health of existing trees, and having due regard to policies CS16 and DM8 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework, March 2012.

- 6 The development shall not be brought into use until the turning space is provided within the site, to enable vehicles to enter and leave the site in forward gear. This space shall thereafter always be kept available for such use.

Reason: In the interests of highway safety and having due regard to policy CS16 and DM8 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework, March 2012.

- 7 No development hereby permitted shall commence until plans and particulars specifying the layout, depth and capacity of all foul and surface water drains and sewers proposed to serve the same, and details of any other proposed ancillary drainage works/plant (e.g. pumping stations) have been submitted to and approved in writing by the Local Planning Authority. Unless agreed

otherwise in writing by the Local Planning Authority, the development hereby permitted shall not be brought into use prior to the completion of the implementation of all such drainage provision in full accordance with such plans and particulars as are thus approved by the Local Planning Authority.

Reason: To safeguard the amenities of the locality and ensure that all such drainage provision is constructed to an appropriate standard and quality, and having due regard to policies CS16, DM8, CS15 and DM10 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework, March 2012.

- 8 Development shall proceed in accordance with the ecological mitigation measures detailed within Phase 2 reptile survey (PV Ecology, September 2016) unless otherwise agreed in writing by the Local Planning Authority. Development shall then proceed in strict accordance with any agreed strategy.

Reason: to provide ecological protection and enhancement in accordance with the Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Core Strategy March 2011.

- 9 No development shall take place until details of existing and finished floor and site levels relative to previously agreed off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: To protect the amenities of occupiers of adjacent properties and to ensure the appearance of the development is satisfactory and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 10 In the event that suspected contamination (soil, groundwater or buried waste materials) is encountered during groundwork; works in affected areas of the site shall cease until a scheme to deal with the risks associated with the suspected contamination has been submitted to and approved in writing by the Local Planning Authority.

The scheme may comprise separate reports/statements as appropriate, but unless specifically excluded in writing by the Local Planning Authority, shall include;

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nature, likely extent & mobility,

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upon 1), and;

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Reason: Having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework, there is a potential for contamination to exist at the site within made ground which could pose a risk to occupants

- 11 As there are other residential properties in close proximity to this site, any proposal relating to the installation of potential noise generating plant / equipment such as air source heat pumps, swimming pool pumps and filtration systems, air conditioning units and the like, shall be agreed and approved in writing by the Local Planning Authority prior to any development taking place.

Reason: in the interests of protecting the occupants of nearby residential properties from noise and vibration nuisance and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework, March 2012.

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