
Site Address:	Cranbrook Villa, Copse Lane, Hayling Island, PO11 0RJ		
Proposal:	Proposed two storey side and rear extensions and single storey front extension.		
Application No:	APP/16/00564	Expiry Date:	26/07/2016
Applicant:	Mr Hall		
	Lisbon PD Ltd		
Agent:	Mr C Curnow	Case Officer:	Emma Chisnall
	Thorns - Young Ltd		
Ward:	Hayling East		

Recommendation: **GRANT PERMISSION**

1 Site Description

The site lies to the south side of Copse Lane. The current dwelling on the site has been unoccupied for some time and is in a deteriorating state of repair. The building is two storey in height, brick built, and with a slate roof. It is symmetrical when viewed from the road and has single storey rear outshoots. The building has a long rear garden and there is a small outbuilding to the west of the main dwelling.

To the east 'Eventyde' is a detached bungalow with rooms in the roof. To the west North Wood is a detached two storey house.

The site is located outside the urban area.

2 Planning History

APP/15/00378 - Demolition of existing 2 bed detached house and erection of 1No. five bed detached house and double detached garage., PERM,13/04/2016

3 Proposal

Proposed two storey side and rear extensions and single storey front extension.

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)
CS16	(High Quality Design)
CS21	(Developer Requirements)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)
DM9	(Development in the Coastal Zone)

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

Arboriculturalist Comments:

No arboricultural constraints to be raised.

Development Engineer - Highways Comment:

No adverse comment in regards to the application

Southern Water Comment:

The exact position of the public sewers must be determined on site by the applicant before the layout of the proposed development is finalised.

Please note:

- No development or new tree planting should be located within 3 metres either side of the centreline of the public foul and surface water sewer and all existing infrastructure should be protected during the course of construction works.
- No new soakaways should be located within 5 metres of a public sewer.

Due to changes in legislation that came into force on 1st 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. The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 03303030119) or www.southernwater.co.uk.

Southern water requires a formal application for any new connection to the public foul and surface water sewer to be made by the applicant or developer. We request that should this application receive planning approval, the following information 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, SO21 2SW (Tel: 03303030119) or www.southernwater.co.uk

It is the responsibility of the developer to make suitable provision for the disposal of surface water. Part H3 of the Building Regulations prioritises the means of surface water disposal in the order

- a) Adequate soakaway or infiltration system
- b) Watercourse
- c) Where neither of the above is practicable sewer.

Officer Comment: An informative will be included with the decision to ensure a formal application is made to Southern Water for any connection to the public sewer.

County Ecologist Comment:

Thank you for consulting me on this application. The updated ecological information is

useful although does not materially alter the assessment or my recommendations.

The application is accompanied by an amended Ecological Assessment (CC Ecology, July 2016) which provides a sound assessment of the site's current ecological value.

The main issue at this site is roosting bats, with a small roost of three mouse-eared bat species noted during the September 2015 evening survey and a mouse-eared bat likely to have emerged during June 2016. These bats were not identified to species level which is unfortunate but understandable (the various species are generally very hard to differentiate unless good quality calls are recorded). The report suggests that the bats are likely to be one of four species. Whilst it would be advantageous to have the individual species identification I am prepared to state that, in terms of overall mitigation, the four species are broadly similar and so the recommended measures are acceptable. The June update has now concluded that the species is likely to be Natterer's bat.

This development will affect bats, which receive strict legal protection under UK law by the Wildlife and Countryside Act 1981 (as amended) and under EU law by the Conservation of Habitats and Species Regulations 2010 (commonly referred to as the Habitats Regulations). Where developments affect EPS, permission can be granted unless the development is likely to result in a breach of the EU Directive underpinning the Habitats Regulations and is unlikely to be granted an EPS licence from Natural England to allow the development to proceed under a derogation from the law.

Will the development result in a breach of the EU Directive?

Yes, unmitigated, the development has potential to result in harm to individual bats and result in impacts to the favourable conservation status of bat species locally.

Is the development unlikely to be licensed?

An EPS licence can only be granted if the development proposal is able to meet three tests:

1. *the consented operation must be for 'preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment'; (Regulation 53(2)(e))*
2. *there must be 'no satisfactory alternative' (Regulation 53(9)(a)); and*
3. *the action authorised 'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range' (Regulation 53(9)(b)).*

It is for you as the case officer to assess the proposals against the first two tests and you may wish to ask for further information from the applicant. In order to assess the development against the third test, sufficient details must be available to show how killing/injury/disturbance of bats will be avoided and how any loss or damage to habitat will be compensated. Sufficient survey effort has been expended to gauge which species group is present (although not which individual species) and an assessment of roost type has been given. A licence from Natural England will be required. The proposed mitigation comprises the provision of bat boxes on nearby trees and the installation of bat access features within the new dwelling. It is highly advisable that woven breathable roofing membrane is not used: Type 1 bitumen felt is sufficient and is compliant with building regulations.

In terms of other ecological issues, reptiles are likely absent from site and there is a small risk of terrestrial amphibians being impacted. Again, some sensible mitigation measures are recommended. The old orchard at the southern end of the site will be retained.

Development shall proceed in strict accordance with the ecological mitigation, compensation and enhancement measures detailed within the amended Ecological Assessment (CC Ecology, July 2016) unless agreed in writing by the Local Planning Authority. Any such measures shall be implemented in accordance with the agreed details and secured in perpetuity, unless otherwise agreed in writing by the Local Planning Authority. A short written report detailing the results of the supervised roof strip shall be submitted to the Local Planning Authority at a date no later than two months after completion of the supervised roof strip. Reason: to provide ecological protection and enhancement in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Core Strategy March 2011

Officer Comment: The first two tests in relation to bats are considered in part 7 of this report. The third test is considered to be passed subject to the conditioning of the mitigation methods in the Ecological Report

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: 3

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 2

Summary:

1 Objection. Concern raised over the impact to ecology following the proposed works. Comments made regarding poor design, loss of character and development being jammed to one side of a large plot. Note made that legal documents are held with neighbouring dwelling and that notice has not been served to Northwood.

Comments made by North East Hayling Residents Association:

Concern there may be issues linking any new metric bricks to imperial and ask that small set back is made at first floor level. Front door and glazed panels should reflect existing width and proportions of the existing windows, perhaps with the side panel.

Officer Comment: The legal documents mentioned would be a civil matter between neighbours and is not something that could be reviewed as a planning consideration. Comments made regarding the position of the development, the proportions of the developments and the impact to the ecology will be addressed within Section 7 of the report under 'Planning Considerations'.

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 of the area
- (iii) Impact upon residential amenity
- (iv) Developer Contributions
- (v) Drainage Issues
- (vi) Flood Risk
- (vii) Ecology
- (viii) Impact on Trees

(i) Principle of development

The application site is located outside of the built up area and the proposal is for extensions to the existing building which are considered acceptable in principal subject to the usual development control criteria and conditions.

(ii) Impact upon the character of the area

The proposal would result in the dwelling being extended to the front at single storey, to the west (side) at two storey and to the rear at two and single storey. Cranbrook Villa is located within a generous plot and is situated in close proximity to the neighbouring dwelling to the east, Eventyde. The developments would extend into the existing space on the site which is currently dormant over-grown land.

The proposal would result in an increase in internal floorspace and it is clear that the development would appear to be larger in size however, due to the plot size available to Cranbrook Villa the dwelling would still be situated adequately away from the boundary shared with the dwelling to the west, Northwood, leaving substantial space between the dwellings.

Plans have been altered which offer improvements to the design including creating a more balanced and even appearance to the front which maintains the character of the existing dwelling, restores symmetry in the original features and also provides the space required by the applicant. The proposals include incorporating an internal garage to the front side of the site. This would be designed so that the roof would slope away from the frontage reducing its visual impact.

Materials are proposed to be used that are matching to the existing dwelling which would help the works look in keeping to the original dwelling and not out of place. The proposed extensions are considered to be in proportion to the space available and original size of Cranbrook Villa and are considered to provide an attractive uplift to the dwelling, improving the visual appearance.

(iii) Impact upon residential amenity

It is considered that the main impacts from the development would be to Eventyde to the east and North Wood to the west.

Eventyde is a substantial bungalow with rooms in the roof and has a main first floor bedroom dormer window facing the application site and two first floor rooflights.

Cranbrook Villa is set on the shared boundary and the proposed addition to the dwelling would be to the rear of the dwelling at single storey (adjacent to Eventyde) providing an extension to a family and utility room. Along the side elevation which would face Eventyde, two rooflights are proposed at high level within the roof space. These would serve a ground floor room and would not result in overlooking. It is considered that due to the position of the windows and the height that privacy and amenity should be protected.

There would be some additional impact from the mass and bulk of the proposed rear extension which would project to the rear of Eventyde, however, given the set-off of the dwelling from Cranbrook Villa, this would be limited and is considered acceptable.

Northwood is a two storey house to the west of the site, set back from the proposed dwelling in relation to the road. A substantial gap would be retained between the proposed works and the flank wall of this dwelling. There are also trees and hedging along the common boundary. Northwood has an attached garage with room above set closest to the boundary however it is considered that the separation distance and screening would result in an acceptable relationship between dwellings.

(iv) Developer Contributions

The proposal would result in a significant extension and its enlarged footprint would trigger the Community Infrastructure Levy. The new floor space generates a CIL contribution of £18,013.39 and the applicants have completed the necessary Assumption of Liability form accepting this amount.

(v) Drainage Issues

Southern Water have stated that a public foul sewer crosses the site and an informative is recommended to ensure that this is taken into account in the proposed development.

A informative will be included to alert the applicant to Southern Waters comments.

(vi) Flood Risk

The site is located in flood zone 1 and therefore flood risk is considered low.

(vii) Ecology

The site lies within close proximity to the SPA/SSSI within Chichester Harbour. Consultations have taken place with the County Ecologist and an Ecological Assessment has been provided in relation to on-site impacts.

The proposed extension is not considered to be likely to impact the statutory sites.

The County Ecologist confirms that the Ecological Assessment provides a sound assessment of the sites ecological value.

The main issue is roosting bats within the existing house and the Assessment states:

Based on the results of the dusk surveys, with no emerging bats recorded during the August survey and a small number of bats recorded during the September survey, it is considered likely that Cranbrook Villa supports a small day roost of this species group.

Due to the time of year that the bats were recorded as being present it is most likely that this is a small transitional roost.

The County Ecologist concludes that *this development will affect bats, which receive strict legal protection under UK law by the Wildlife and Countryside Act 1981 (as amended) and under EU law by the Conservation of Habitats and Species Regulations 2010 (commonly referred to as the Habitats Regulations). Where developments affect EPS, permission can be granted unless the development is likely to result in a breach of the EU Directive underpinning the Habitats Regulations and is unlikely to be granted an EPS licence from Natural England to allow the development to proceed under a derogation from the law.* A series of tests therefore need to be applied.

Will the development result in a breach of the EU Directive?

Yes, unmitigated, the development has potential to result in harm to individual bats and result in impacts to the favourable conservation status of bat species locally.

Is the development unlikely to be licensed?

An EPS licence can only be granted if the development proposal is able to meet three tests:

1. the consented operation must be for 'preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment; (Regulation 53(2)(e))

In terms of the first test, the proposal is to extend and re-furbish a deteriorating and currently uninhabitable dwelling bringing it back into residential occupation. This is considered to represent an overriding public interest from a social and economic perspective reinstating and extending a building that is unoccupied and deteriorating and providing a dwelling fit for habitation and improving the appearance of the area.

2. there must be 'no satisfactory alternative (Regulation 53(9)(a));

The proposed development results in the provision of two storey side and rear extensions and single storey front extension. These alterations to the existing building are considered necessary to bringing the dwelling back into use and there is considered to be no satisfactory alternative.

3. the action authorised 'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range' (Regulation 53(9)(b)).

The third test has been assessed by the County Ecologist

In order to assess the development against the third test, sufficient details must be available to show how killing/injury/disturbance of bats will be avoided and how any loss or damage to habitat will be compensated. Sufficient survey effort has been expended to gauge which species group is present (although not which individual species) and an assessment of roost type has been given. A licence from Natural England will be required. The proposed mitigation comprises the provision of bat boxes on nearby trees and the installation of bat access features within the new dwelling. It is highly advisable that woven breathable roofing membrane is not used: Type 1 bitumen felt is sufficient and is compliant with building regulations.

A planning condition in relation to securing the recommendations of the Ecological appraisal is recommended.

In terms of other ecological issues, reptiles are likely absent from site and there is a small risk of terrestrial amphibians being impacted. Again, some sensible mitigation measures are recommended.

An ecological condition is recommended.

(viii) Impact on Trees

The proposal retains significant trees on the site and is considered appropriate.

8 **Conclusion**

The dwelling occupies a plot with generous space to the front, rear and side. The curtilage can accommodate the proposed two storey side and rear extensions and single storey front extension to the size and scale proposed without compromising the private amenity space of the neighbouring dwelling or character of the area. The application accords with the requirements of the adopted Local Plan (Core Strategy) policy CS16 and can be considered acceptable for approval.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/16/00564 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 Compulsary Purchase Act 2004.
- 2 Development shall proceed in strict accordance with the ecological mitigation, compensation and enhancement measures detailed within the Ecological Assessment November 2015 as amended unless agreed in writing by the Local Planning Authority. Any such measures shall be implemented in accordance with the agreed details and secured in perpetuity, unless otherwise agreed in writing by the Local Planning Authority. A short written report detailing the results of the supervised roof strip shall be submitted to the Local Planning Authority at a date no later than two months after completion of the supervised roof strip.
Reason: to provide ecological protection and enhancement in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, National Planning Policy Framework, NERC Act 2006 and Policy CS 11 of the Havant Borough Local Plan (Core Strategy) March 2011 and the National Planning Policy Framework.

- 3 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and a full specification of the materials to be used externally on the building 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.
- 4 This permission is a mutually exclusive alternative to planning permission Reference: APP/15/00378 dated 13th April 2016 and shall not be built in combination with that consent.
Reason: To ensure a satisfactory development in the interests of the character and appearance of the area having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 5 The development hereby permitted shall be carried out in accordance with the following approved plans:
Location Plan Order Licence ref: O1839495
Block Plan Order Licence Ref: O1715057
Existing Elevation and Floor Plans: Drawing No 7013.14.1
Proposed Elevation and Floor Plans: Drawing No 7013.14.60 Rev C
Ecological Assessment (as Amended): Received via email 14.07.2016
Reason: - To ensure provision of a satisfactory development.