
Site Address:	27 Nutbourne Road, Hayling Island, PO11 9RU		
Proposal:	Removal of 3No. Caravans and erection of 1No. 3 bedroomed bungalow.		
Application No:	APP/15/00312	Expiry Date:	14/05/2015
Applicant:	Mr Hayward	Team:	Team 1
Agent:	Mr P Galloway	Case Officer:	David Eaves
Ward:	Hayling East		

Recommendation: **GRANT PERMISSION**

1 Site Description

The appeal site is a triangular-shaped plot at the junction of Nutbourne Road and Haven Road, which is currently occupied by three static caravans. It is located within an area which is characterised mainly by mobile homes and caravans for use as seasonal occupancy units and by tourists.

2 Planning History

APP/14/01003 Construction of 2No. 3 bed chalet style dwellings with parking and access from Nutbourne Road. Withdrawn November 2014

07/51657/004 Outline Application for construction of 2 storey building containing 8No. 1 bedroom flats. Associated car parking, cycle and bin store with new access to Nutbourne Road. (Revised application). Refused November 2007 Appeal Dismissed September 2008

07/51657/003 Outline application for construction of 2 storey building containing 8No. 1 bedroom flats. Associated car parking, cycle and bin store with new access to Nutbourne Road. Withdrawn July 2007

04/51657/002 Variation of Condition 2 of Planning Permission 88/51657 to allow for an extended period of occupation of caravans on site from 1 March to 31 December. Permitted April 2006 with occupation restriction excluding the period 2nd Jan - last day in Feb. Associated S106 Agreement restricting use to holiday accommodation and with the same non-occupation restriction.

3 Proposal

Removal of 3no. Caravans and erection of 1No. 3 bedroomed bungalow.

The bungalow would be accessed from Nutbourne Road. It would have a rectangular footprint and be finished in red facing bricks with some tile hanging. The roof would have blue/black riven 'slates'. The roof would be relatively shallow in pitch (approx. 20%).

Access would be from Nutbourne Road with car parking for 2 cars.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Local Plan (Core Strategy) March 2011

CS14	(Efficient Use of Resources)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS20	(Transport and Access Strategy)
CS21	(Developer Requirements)
CS5	(Tourism)
CS6	(Regeneration of the Borough)
CS9	(Housing)
DM10	(Pollution)
DM13	(Car and Cycle Parking on Residential Development)
DM13	(Car and Cycle Parking on Residential Development)
DM3	(Protection of Existing Employment and Tourism Sites)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)

Havant Borough Residential Parking and Cycle Provision SPD 2010

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Building Control

No public sewer

No comments

Waste Services

No concerns over waste collection regarding this planning application.

Development Engineer - Highways

The Highway Authority has no adverse comment to this application.

I would suggest the Planning Authority condition two parking spaces and cycle facilities as shown on the submitted plans to ensure that the development meets the HBC Parking Standards.

Economic Development:

Although I have not seen the loss of business evidence from the tourism side, it would not appear to make a significant impact given the availability of alternative venues on the island.

It does not appear to be an excessive development, therefore on balance and considering the future of the resident there are no issues from my perspective.

Crime Prevention -Minor Apps

No comments received.

Planning Policy:

This application is a new proposal to replace a previous application for 2 No. three bedroom permanent detached dwellings that was submitted in October 2014 and later withdrawn. The revised scheme is for a single bungalow. The applicant's agent has resubmitted his evidence of the three caravans presently on the site having been marketed both in their current use as holiday lets and being marketed for sale and I am satisfied that he has adequately demonstrated their non-viability for tourism use and made sufficient effort to meet the requirements of policy DM3 of the Local Plan (Allocations) for a 12 month period of active marketing of the site.

The proposed bungalow and car parking layout in this application appear to take account of the limited space on the site and a single storey dwelling should not overlook the caravans on the adjacent plot. The site is on the periphery of a wider caravan park and sited directly alongside Nutbourne Road, on which there are other permanent dwellings, so a further permanent dwelling at this location would not set a new precedent for further loss of tourism uses. It would also have arguably less impact on the area than if the site were located in the middle of the caravan park and surrounded by other holiday homes.

Providing that the two parking spaces and two cycle parking spaces are provided as set out on the latest plans then the development should match the parking standards in Tables 4 and 7 of the Residential Car Parking and Cycle Provision Supplementary Planning Document, as per policy DM13 of the Local Plan (Core Strategy).

Principle of Development:

I have no adverse policy comments to make on this application.

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: 10

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

Summary:

Current application appears to have addressed some of my reasons for objection to the previous application.

I remain fundamentally opposed to the development of this site for permanent housing.

Property located within Eastoke "caravan area" which is committed to the development of tourism, and represents a thriving tourist/SOHC area.

The introduction of permanent dwellings within this area would signal a change to this

commitment and lead to "creeping" development within the area with a mixture of permanent and holiday occupancy.

Acknowledged that there is little demand for weekly holiday let caravans. However, demand for owner-occupied caravans remains buoyant. I believe the site remains viable for SOHC usage as it was prior to current ownership.

Detrimental to tourism policy.

Stated that site is not fit for purpose or viable for tourism, I feel this is incorrect, viability would be achievable as an SOHC park.

Unable to find documentary evidence within the submission.

Officer Comment:

Evidence now submitted and on website (re-notified to neighbours with 7 day letter)

Flood risk assessment refers to two dwellings and assume that this relates to a previous application.

Officer Comment:

The FRA is dated 28 August and relates to a previous development layout for 2 dwellings. This assessment is therefore based on a larger development than current proposal (with increased drainage impact). Therefore the current proposal has less impact than that assessed in the FRA. Flood risk issues are considered below.

Drawing inconsistencies.

Officer Comment:

These issues have been raised with the agent for clarification and revised plans have been received.

Concern over siting allowing possible further proposal for second house.

Officer Comment:

Any further additional residential development would be subject to a further planning application.

Self-build projects take considerably longer to construct than similar contractor-built projects. Concerned that should consent be granted, a "drawn out" construction period would result in a loss of amenity to occupants on my park through construction noise and dust.

Officer Comment:

The construction period cannot be controlled by the local planning authority. Given the proximity of adjacent caravans it is considered reasonable to condition construction days/hours in this case.

Mature hedge planted within my side of the legal boundary which I maintain. Taller hedge would create unacceptable health and safety risks during cutting season. Contest section 15 of planning application. Erection of a house would result in a loss of privacy for caravan owners who would be overlooked, and who could reasonably expect the provision of a higher fence on the applicants side of the boundary as a prelude to any development to prevent visual intrusion.

Officer Comment:

A fencing contrition is recommended to ensure an acceptable relationship between the dwelling and adjacent caravan uses.

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) The loss of tourist accommodation
- (iii) Impact upon the character and appearance of the area
- (iv) Impact upon residential amenity
- (v) Flood risk issues and drainage
- (vi) Highway and parking issues
- (vii) Developer Contribution requirements

(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.

(ii) The loss of tourist accommodation

This application follows an earlier withdrawn application APP/14/01003. As the proposal would result in the loss of tourist accommodation the proposal has been assessed in detail against the criteria in policy DM3 of the Havant Borough Local Plan (Core Strategy) 2011. This sets a number of tests to be applied to the consideration of such applications and the submitted information has been assessed by Planning Policy.

Policy DM3 states:

The change of use or development of land or premises currently or last used for tourism purposes to non-tourism uses will only be permitted where it has been demonstrated that the land or premises are not fit for purpose and financially unviable for any tourism use.

For both employment and tourism sites this shall be demonstrated through an active and exhaustive marketing process covering at least 18 months for a major site and 12 months for all other sites.

In this case it is not considered that the site is a major site and therefore the 12 month marketing period is relevant. The marketing process requires as a minimum the following:

i) Confirmation by the marketing agent on headed company paper that the premises were appropriately and extensively marketed for the required length of time as set out by the council.

ii) Dated photographs of marketing board/s of an appropriate quality, size, scale, location and number, during this time, on the premises.

iii) An enquiry log, how it was followed up and why it was unsuccessful.

iv) A copy of all advertisements in the local press and trade journals (should be at least four weeks' worth of advertisements spread across a six month period).

v) Evidence of marketing via the internet.

These requirements have been addressed in the supporting evidence submitted with this planning application as follows:

The change of use or development of land or premises currently or last used for tourism purposes to non-tourism uses will only be permitted where it has been demonstrated that the land or premises are not fit for purpose and financially unviable for any tourism use.

Marketing statements from estate agents have been provided together with financial information in relation to 3 years operation of the site. The information submitted concludes that it is not considered that the site is likely to be viable in the applicants or alternative ownership. The site is limited in size (3 units) and has limited facilities.

The agent states that the site has 3 caravans and has been marketed for holiday lets during the months of March to December. Over the last four years, sales have declined despite advertising on the Internet and mails to previous holiday makers. There have been only six bookings in 2013 for holidays, with none in 2014. It is argued that the site cannot compete with larger operators offering more facilities and advertising.

It is considered that given the information provided including profit and loss returns that the viability of the site and lack of facilities mitigates against a continued tourism use at the site.

For both employment and tourism sites this shall be demonstrated through an active and exhaustive marketing process covering at least 18 months for a major site and 12 months for all other sites.

The marketing requirement for this site is 12 months (as it is not a major site). The marketing period which has been provided is for 310 days in 2012 to 2013. Whilst ideally the full 12 months would be provided (up to present) the balance of the marketing information is considered to provide appropriate evidence of an acceptable period of marketing.

i) Confirmation by the marketing agent on headed company paper that the premises were appropriately and extensively marketed for the required length of time as set out by the council.

Marketing information has been provided by Foot Estate Agents and marketing also took place on the Rightmove website and via Hayling Trader magazine and the Hayling Islander.

ii) Dated photographs of marketing board/s of an appropriate quality, size, scale, location and number, during this time, on the premises.

Photographs of the Foot estate agent board are provided and it is stated that this was erected during June 2012 and removed May 2013.

iii) An enquiry log, how it was followed up and why it was unsuccessful.

3 Viewings took place (all unsuccessful) and the agent has stated that these were unsuccessful due to the site not having the benefit of 12 months annual occupancy, it is therefore un-mortgageable. Whilst the details of the log are limited, the lack of

interest over the marketing period is evidence by the limited number of site viewings.

iv) A copy of all advertisements in the local press and trade journals (should be at least four weeks' worth of advertisements spread across a six month period).

The site was advertised in the Hayling Islander and Hayling Trader in August and September 2012. The agent has made the point that more extensive internet marketing has been carried out than local advertisement by the traditional press. This criteria is therefore not fully met.

v) Evidence of marketing via the internet.

Evidence of marketing via the internet via Rightmove from 28th June to 31st December 2012 and from Jan 1st to May 4th 2013.

The package of information submitted in relation to the loss of tourism accommodation has been assessed in detail by planning policy and it has been concluded that the information provided has adequately demonstrated the sites non-viability for tourism use. Furthermore, the applicant has made sufficient effort to meet the requirements of policy DM3 of the Local Plan (Allocations) for a 12 month period of active marketing of the site. The loss of tourist accommodation has therefore been adequately justified.

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

This amended application has sought to address previous concerns with regard to the cramped nature of development site, its impact on the street scene and neighbours by reducing the units to one, re-siting the building and reducing its size and height.

Whilst the introduction of a dwelling into a mainly caravan site area will have some impact on the character of the area, there are bungalows and chalet bungalows in Nutbourne Road together with other permanent buildings. The proposal is for a single storey bungalow with a maximum ridge height of 4.15m. The building would be sited back from the position of one of the existing caravans on the site when viewed from Nutbourne Road. Whilst it would project forward of the building to the south, given the relatively restricted height and design, it is considered that the building would have a limited and acceptable impact on the character and appearance of the area.

The building has been designed to fit within a restricted triangular plot in an area of mainly caravan development. Further extensions to the building could unacceptably impact on the character and visual amenities of the area. A condition in relation to the removal of permitted development rights is therefore considered appropriate.

(iv) Impact upon residential amenity

To the west of the site is a mobile home site which it is understood is occupied for most of the year as seasonal occupancy units. The impact of the development on these occupants has been considered. The current proposal set off the common boundary which is set at an angle by a minimum of 5.3m. The new dwelling would be single storey with no accommodation at first floor level. The boundary is marked by a hedge with a height of approx 1.4m. Given the close relationship of the mobile homes in the adjacent site to the boundary and the low height of the hedge it is considered appropriate to require the provision of a fence to this boundary. Subject to this and informative's in relation to the construction phase impacts it is considered that the

proposed development would have an acceptable impact on the amenities of nearby occupants.

(v) Flood risk issues and drainage

The site lies within flood zone 1 where new residential development is considered to be acceptable in principle in relation to flood risk. The development would link to an existing foul drainage sewer and a soakaway would be incorporated in relation to surface water drainage (subject to building regulations approval).

(vi) Highway and parking issues

The Council's parking standards would require 2 car parking spaces and cycle parking for a 3 bed unit. A condition is recommended to ensure that the requirements are adequately met.

(vii) Developer Contribution requirements

The development would be subject to CIL requirements which would equate to 93sqm x £100 = £9,300. It is understood that the applicant will be claiming self build exemption.

The proposal is also subject to a contribution requirement relating to visitor impact on the Special Protection Area (SPA). The financial contribution of £200.60 has been secured.

8 Conclusion

In conclusion, the site is in the built up area and flood zone 1 where residential development is considered acceptable in principle. The proposal would however result in the loss of tourist accommodation which is resisted unless the site is not fit for purpose/unviable and has been subject to suitable marketing. In this case it is considered that the loss of tourist accommodation has been fully assessed and the relevant tests to justify the loss of such accommodation have on balance been met.

The proposals are considered to have an acceptable impact on the character and appearance of the area and on the amenities of the occupiers of nearby caravans. Developer contributions in relation to CIL and the SPA have been addressed although it is recognised that CIL exemption is being claimed.

Planning permission can be recommended subject to conditions.

9 **RECOMMENDATION:**

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/15/00312

(A) subject to the following conditions

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The dwelling shall not be occupied until space for the loading, unloading and parking of vehicles has been provided within the site, surfaced and marked out in accordance with the approved details. Such areas shall thereafter be retained and used solely for those purposes.

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 2012.

- 3 The dwelling shall not be occupied unless and until cycle parking has been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Such provision shall provide for 2 cycle spaces. The approved details shall thereafter be provided and retained in accordance with the approved details.

Reason: To ensure adequate provision for cycle parking to encourage non-car based travel choices in the interest of sustainability and having due regard to policy DM13 of the Havant Borough Local Plan, Havant Borough Residential Parking and Cycle Provision Supplementary Planning Document 2010 and the National Planning Policy Framework 2012.

- 4 Demolition, clearance, excavation, road or construction works shall take place only between the hours of 0800 and 1800 hours on Mondays to Saturdays and not at all on Sundays and all recognised public holidays.

Reason: To protect the amenity of adjoining residents and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 5 Construction of the building(s) hereby permitted shall not commence until samples and details of all external facing and roofing materials shall be submitted to and approved by the Local Planning Authority. Thereafter only such approved materials and finishes shall be used in carrying out the development.

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 2012.

- 6 No development hereby permitted shall be commenced until a more detailed soft landscaping scheme for all open parts of the site not proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the proposed finished ground levels in relation to the existing levels, the distribution and species of ground cover to be planted, the positions, species and planting sizes of the trees and shrubs to be planted and/or retained, and timing provisions for completion of the implementation of all such landscaping works.

The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions. Any tree or shrub planted or retained as part of such approved landscaping scheme which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.

Reason: To ensure the appearance of the development is satisfactory and

having due regard to policies CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 7 No development hereby permitted shall commence until plans and particulars specifying the alignment, type, height and, where appropriate, construction materials and design of a screen wall or fence to be provided to the western boundary of the site within the line of the existing hedgerow have been submitted to and approved in writing by the Local Planning Authority. Unless agreed otherwise in writing by the Authority, the development hereby permitted shall not commence prior to the completion of the installation of all screening provision as is thus approved by the Authority. At all times thereafter, all of that screening provision shall be retained in a wholly sound and effective condition.

Reason: To safeguard the amenities of the locality and occupiers of neighbouring mobile homes and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 8 No development hereby permitted nor any related site clearance shall commence until a plan and particulars specifying the provision to be made within the site and/or on other land nearby for the parking (throughout the clearance and construction period) of construction vehicles and of other vehicles delivering/removing materials and other items to/from the development site have been submitted to and approved in writing by the Local Planning Authority. Thereafter, throughout such site clearance and implementation of the development hereby permitted, all such temporary parking provision shall be provided and used only as such.

Reason: To safeguard the amenities of the locality and in the interests of traffic safety and having due regard to policies CS16, DM10 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 9 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 in the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 10 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extension, building or structure permitted by Part 1, Classes A or E of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, shall be erected within the curtilage of the site without the prior written approval of the Local Planning Authority.

Reason: To ensure that the development has an acceptable impact on the character and appearance of the area given the sites restricted nature and

location having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 11 The development hereby permitted shall not commence unless and until the three existing mobile homes have been permanently removed from the site unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area and to prevent over-development of the site having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

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

Design & Access Statement March 2015

Supporting Evidence Demonstrating Historical Advertising, Marketing and Associated Timeline dated March 2015

Flood Risk Assessment EG/362341/EG dated 28 August 2014

Location Plan Drawing No. 13/64/L01

Block Plan Drawing No. 13/64/B01 Rev B

Proposed Site Layout Drawing Number 13/64/P01D Rev E

Proposed Site Layout - Landscape Drawing Number 13/64/P02C Rev C

General Arrangement Drawing No. 13/64/P03C Rev C

Reason: - To ensure provision of a satisfactory development.