
Site Address: 78 Southwood Road, Hayling Island, PO11 9QF
Proposal: Removal of Condition 4 and Variation of Condition 7 of Planning
Permission APP/14/00901 relating to the Code for Sustainable Homes and alteration to
fencing requirement.

Application No: APP/15/00424

Expiry Date: 15/06/2015

Applicant: Mr N Bending

Team: Team 1

Agent:

Case Officer: Heather Lealan

Ward: Hayling East

Recommendation: **GRANT PERMISSION**

1 Site Description

An existing residential plot on the south side of Southwood Road which currently contains a hipped chalet style dwelling. It is located so it is stepped forward from No 76 the single property to the west which is also a hipped chalet bungalow; No.76 has planning permission to move forward in it's plot and to rebuild as a two storey modern style dwelling. The property to the east is a block of flats with a rear building line 2.5m approx further south than the rear of the application site dwelling with No.78.

2 Planning History

07/70545- Front infill extension at ground floor and first floor to form porch and bedroom - Permitted

APP/14/00901 - The proposal was for a replacement detached house with garaging - Permitted

3 Proposal

Removal of Condition 4 and Variation of Condition 7 of Planning Permission APP/14/00901 relating to the Code for Sustainable Homes and alteration to fencing requirement.

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)

Havant Borough Local Plan (Allocations) July 2014

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

County Ecologist
No comments

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: None

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 environment and protected coast

(i) Principle of development

7.1 The principle of the development has been established within planning approval APP/14/00901.

(ii) Impact upon the environment and protected coast

7.2 Condition 4 required that the development accord with code level 4 of the Code for Sustainable Homes. However, with effect from 25th March 2015 the requirements of the Code have been withdrawn, for planning purposes, by the Deregulation Act 2015. Therefore, the environmental sustainability of new dwellings at the current time is considered under building regulations, unless the adopted local plan makes specific provision for water efficiency standards etc. However, the relevant core strategy policy CS14 is silent on such specifics and so subsequently it is considered reasonable to allow the removal of condition 4 in respect to this approve scheme.

7.3 Condition 7 required the erection of a fence directly adjacent to the block wall shown on the submitted plan in order to protect coastal shingle habitat. However, the applicant states that such a fence siting will restrict development and therefore seeks to change the location of the fence to the north side of the hedgerow shown on submitted plan EX01 and to reduce the height to 1.8m due to high winds. This is considered to be acceptable as it would allow additional working space but still protect the shingle habitat; the fence would still be of sufficient height and would be sited

within the garden area with shingle on a membrane outside the natural shingle habitat.

8 **Conclusion**

- 8.1 It is considered that the proposed changes are acceptable and should be permitted.

9 **RECOMMENDATION:**

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/15/00424 subject to the following conditions

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

Topographical survey drwg.no EX01 received 20 April 2015

Reason: - To ensure provision of a satisfactory development.

- 2 All materials, equipment and machinery associated with the development shall be stored in a designated compound in the front of the site within the curtilage of the property, the detailed location of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The area described as stone/shingle on the submitted Topographical Survey shall be protected by a minimum 1.8 metres high fence to be erected directly adjacent to the north side of the hedgerow as shown on approved plan EX01 received 20 April 2015. Such fencing shall comprise a vertical and horizontal framework of scaffolding, well braced to resist impacts, supporting a minimum of 20mm exterior grade ply and 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: This is required in order to protect the adjacent SPA supporting habitat and having due regard to policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011; the National Planning Policy Framework 2012; Regulation 61 (3) of *The Conservation of Habitats and Species Regulations (as amended)* and Section 28(1) of *the Wildlife and Countryside Act 1981 (as amended)*.