
Site Address:	Land west of, 46 Station Road, Hayling Island		
Proposal:	Erection of 1No. two storey dwelling.		
Application No:	APP/15/01292	Expiry Date:	02/03/2016
Applicant:	Miss Snape	Team:	Team 2
Agent:	Mr Murray	Case Officer:	Daphney Haywood
	Murray Planning Associates Ltd		
Ward:	Hayling West		

Recommendation: **GRANT PERMISSION**

1 Site Description

The application site lies within a primarily residential area in West Town, and lies to the rear of West Town public house, which lies on the north side of Station Road. The site which is irregular in shape is relatively flat, lies within flood zone 1 and has an area of 0.05ha. It is currently disused and over grown. The land to the west is currently being developed for housing, and there is planning permission for a new housing estate on the nearby land to the north west. To the north lies a bungalow set within a relatively large plot, and on the opposite side of the existing private drive, which extends to Station Road, is residential development mainly comprising 2 storey housing of varying character and design. The application site includes the private drive to Station Road, which is shared by a number of dwellings and also provides parking for the flats to the east.

A mature oak tree is located on the north west corner of the site, and 2 mature trees lie to the south just beyond the proposed plot .

2 Planning History

None relevant

3 Proposal

Erection of 1No. two storey 3 bedroom dwelling. The dwelling would be located approx 22m from the rear of the bungalow to the north, and 15m from the recently constructed dwelling to the west. It would be in the order of 18m from the terraced dwellings to the east.

The plans have been amended to improve the relationship with the mature tree to the north and the neighbours have been re-notified.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Local Plan (Core Strategy) March 2011

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

DM10 (Pollution)
DM11 (Planning for More Sustainable Travel)
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)
AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements)

Borough Design Guide

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist No objection to amended plan

Natural England Government Team

The application site is in close proximity to a European designated site (also commonly referred to as Natura 2000 sites), and therefore has the potential to affect its interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitats Regulations'). The application site is in close proximity to Chichester and Langstone Harbour Special Protection Area (SPA) and Solent Maritime Special Area of Conservation (SAC) which are European sites. The site is also listed as the Chichester and Langstone Harbour Ramsar site¹, and is also notified at a national level as Langstone Harbour Site of Special Scientific Interest (SSSI). Please see the subsequent sections of this letter for our advice relating to SSSI features.

In considering the European site interest, Natural England advises that you, as a competent authority under the provisions of the Habitats Regulations, should have regard for any potential impacts that a plan or project may have². The Conservation objectives for each European site explain how the site should be restored and/or maintained and may be helpful in assessing what, if any, potential impacts a plan or project may have.

Solent Maritime (SAC), Chichester and Langstone Harbour SPA/Ramsar: No objection

The consultation documents provided by your authority do not include information to demonstrate that the requirements of Regulations 61 and 62 of the Habitats Regulations have been considered by your authority, i.e. the consultation does not include a Habitats Regulations Assessment.

In advising your authority on the requirements relating to Habitats Regulations Assessment, and to assist you in screening for the likelihood of significant effects, based on the information provided, Natural England offers the following advice:

- ☐ the proposal is not necessary for the management of the European site
- ☐ that the proposal is unlikely to have a significant effect on any European site, and can therefore be screened out from any requirement for further assessment

When recording your HRA we recommend you refer to the following information to justify your conclusions regarding the likelihood of significant effects.

This application is within 5.6km of Chichester and Langstone Harbour SPA and will lead to a net increase in residential accommodation. Natural England is aware that

Havant Borough Council has recently adopted a Supplementary Planning Document (SPD) or planning policy to mitigate against adverse effects from recreational disturbance on the Solent SPA sites, as agreed by the Solent Recreation Mitigation Partnership (SRMP). Provided that the applicant is complying with the SPD or policy, Natural England are satisfied that the applicant has mitigated against the potential adverse effects of the development on the integrity of the European site(s), and has no objection to this aspect of the application.

Langstone Harbour SSSIs: No objection – no conditions requested

This application is in close proximity to Langstone Harbour SSSI. Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the site has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(1) of the *Wildlife and Countryside Act 1981* (as amended), requiring your authority to re-consult Natural England.

Protected Species

We have not assessed this application and associated documents for impacts on protected species.

Natural England has published Standing Advice on protected species. The Standing Advice includes a habitat decision tree which provides advice to planners on deciding if there is a 'reasonable likelihood' of protected species being present. It also provides detailed advice on the protected species most often affected by development, including flow charts for individual species to enable an assessment to be made of a protected species survey and mitigation strategy.

You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence is needed (which is the developer's responsibility) or may be granted.

Hampshire Biodiversity Information Centre Protected species within 50m, adjacent SINC and Solent wader and Brent Goose strategy sites

Southern Water Exact permission of sewer to be determined on site, and no development within 5m of public surface water sewer and 3m of foul sewer.

Building Control, (Fire Access Consultation) No adverse comments

Development Engineer - Highways

The Highway Authority has no adverse comment on this application.

I would recommend the Planning Authority conditions the two parking spaces, turning area and cycle facilities as shown on the submitted plan.

Waste Services Manager No objection

Crime Prevention -Minor Apps No comments received

Public Spaces Development Manager No comments received

Traffic Management Team 2 parking spaces required

Environmental Health Manager, Community Group

I have read the documents supplied but could not see information relating to noise protection to the new dwelling to ensure minimal disruption from the near-by public house. I must inform you that complaint have been received in relation to noise emanating from the said business in recent times and therefore the construction of the building may be design to ensure minimal disruption. I do not wish to object to this application, however, the developer must ensure proper design of the building.

officer note - informative recommended

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: 19

Number of site notices: one

Statutory advertisement: Not applicable.

Number of representations received: 0

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
- (v) Trees
- (vi) Highways Implications
- (vii) Ecology and CIL

(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) Impact upon the streetscene

The immediate locality is characterised by dwellings of varying design and appearance. The proposed 2 storey dwelling would be of appropriate scale and design and would not result in visual detriment. The dwelling would be set back from Station Road and there would be very limited impact on this street scene.

(iii) Impact upon residential amenity

The main impact relates to the bungalow to the north, the new dwelling to the west and the terraced dwellings opposite.

In respect to the bungalow to the north, this property has a relatively long rear garden and the proposed window to window distances would satisfy the Borough Design Guide. The application plot is of irregular shape as is the plot to the bungalow to the rear and part of the rear elevation would be in close proximity to the northern boundary. The proposed dwelling has been designed such that at first floor only one window is proposed and this would be located facing down the garden where the depth is approx 10m.

Regarding the recently constructed house to the west, the proposed dwelling would be 8m from the boundary and first floor windows in the west elevation comprise a bathroom and secondary window to bedroom 2. The new dwelling to the west does

not have any primary windows facing the application site.

The properties to the east are sited 18m from the proposed dwelling and face onto the private drive.

The proposed development, which would be served by on site parking and an appropriate level of amenity space, can be satisfactorily accommodated within the site and is considered to achieve an acceptable relationship with the surrounding properties and not to adversely impact residential amenity.

(v) Trees

The plans have been amended to have regard to the mature trees on or near the site and a revised Arboricultural Impact assessment has been submitted to address the initial concerns of the Arboricultural Officer, who has confirmed that there is no objection to the revised plans.

(vi) Highways Implications

The applicant has confirmed the right of access over the private drive and proposed 3 bed dwelling would be served by 2 parking spaces in accordance with adopted standards, and there is room within the site for bike storage which can be conditioned.

(vii) Ecology and CIL

The application has also been assessed under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) (The Habitats Regulations). The proposal would lead to a net increase in population, which would be likely to lead to a significant effect (as described in Regulation 61(1) (a) of the Habitats Regulations) on the Chichester and Langstone Harbours Special Protection Areas (SPA) and Solent Maritime Special Area of Conservation (SAC) which are European sites. Furthermore the development is not necessary for the management of the European sites. As a result a mitigation package is required, which can be secured through a financial contribution to the Solent Recreation Mitigation Project at a scale of £176 per dwelling (net) (plus monitoring and administration fees). Subject to this mitigation package being secured, the level of mitigation provided is considered sufficient to remove the significant effect on the European sites which would otherwise have been likely to occur. The required contribution and deed have been submitted and as such an appropriate assessment under Regulation 61 of the Habitats Regulations is not necessary.

The development is CIL liable and the assumption of liability has been submitted.

8 Conclusion

The proposed development is considered to be of sufficiently high quality design and sympathetic scale and mass as to be acceptable in this context. Subject to conditions, it would not adversely affect the amenity of the neighbouring properties. The recommendation is therefore to grant Planning Permission subject to conditions

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/15/01292

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 Notwithstanding any description of drainage in the application no drainage works shall be commenced 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 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 and proposals CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 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(s) 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 policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 4 The landscaping works shown on the approved plans shall be carried out in accordance with the approved details and in accordance with any timing / phasing arrangements approved or within the first planting season following final occupation of the development hereby permitted, whichever is the sooner. Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11, CS16, DM8 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 No part of the development shall be first occupied until details of the type, siting, design and materials to be used in the construction of all means of enclosure including boundaries, screens or retaining walls, have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.
Reason: To safeguard the amenities of the locality and occupiers of neighbouring property and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 6 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extension, building alteration, or additional first floor windows shall be constructed within the curtilage of the site without the prior approval of the Local Planning Authority.
Reason: To safeguard the amenities of the locality and occupiers of neighbouring property and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 7 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.
- 8 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:
OS location plan
Proposed dwelling rev B - Dwg 1297P-004
Proposed cross section Dwg 1297P-003
Tree report and addendum prepared by Hellis Tree Consultants.
Reason: - To ensure provision of a satisfactory development.
- 9 The development shall be carried out strictly in accordance with the Tree Report prepared by Hellis tree Consultants dated September 2015 and Addendum dated 1st March 201.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11, CS16, DM8 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.