
Site Address: Land to the rear of 35 Blackthorn Drive, Hayling Island,
PO11 9PA
Proposal: Erection of 1No. 1 bedroom detached bungalow with associated
parking and access, and new parking arrangement for 35 Blackthorn Road.
Application No: APP/14/01148 Expiry Date: 25/12/2014
Applicant: Mr Edney Team: Team 1
Agent: Mr McDermot Case Officer: Heather Lealan
CMC Design Architectural
Services
Ward: Hayling East

Recommendation: **REFUSE PERMISSION**

1 Site Description

- 1.1 The application site comprises of a semi- detached two storey property situated on the south eastern corner of Blackthorn Drive just before the hammer head of the cul-de-sac. The property has an enclosed rear and side garden by 2m close boarded fence. There is an area towards the rear of the garden that has hardstanding and access from Blackthorn Drive and thus can be used for the parking of motor vehicles.
- 1.2 To the rear of the site is No. 19 Kingfisher Close which is a detached single storey dwelling which is well screened from the application site by the hedges and trees that form the rear site boundary treatment.
- 1.3 The site is level and the rear garden is mainly laid to lawn with two large sheds towards the rear. The site is currently spilt in two by means of a 2m boundary fence 10 metres from the rear elevation of the existing dwelling. Within the section of the site adjacent to the boundary is a large storage container and the area for parking.

2 Planning History

09/62707/001

First floor side extension.
Permitted 23/07/1996

APP/10/00724

Construction of two bedroom bungalow - Refused for the following reason;

1. Development of the site in the manner proposed would amount to overdevelopment in that it would give rise to unsatisfactory plot sizes and to a cramped and congested layout that would conflict with the established pattern of development in the locality, and would give rise to overlooking and an overbearing impact from the existing two storey dwellings to the proposed single storey dwelling such as would have an adverse impact on the amenities of any future occupiers. The proposal would therefore be contrary to saved Policy D1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, Policies CC1, CC6 and BE1 of the South East Plan, and Planning Policy Statements 1 and 3

2. It has not been demonstrated that sufficient parking can be provided on site for both the existing and proposed dwellings in accordance with the Local Planning Authority's adopted standards and the proposed development would therefore encourage the parking of vehicles on the public highway which would interrupt the free flow of traffic, detrimental to highway safety. The proposal is therefore contrary to saved Policy T9 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework and Planning Policy Guidance 13.

3. The proposal, without completion of the appropriate binding arrangements to secure a contribution towards the Hampshire County Council Transport Policy, is contrary to the Council's Policy on contributions towards transport infrastructure which, in accordance with Planning Policy Guidance 13, seeks to ensure that the provision is made from new development towards improvements to the transport infrastructure. The proposal is therefore contrary to saved Policies T10 and IMP1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Guidance 13.

3 Proposal

- 3.1 The application seeks the erection of a new dwelling in the rear garden of No.35 Blackthorn Drive. The dwelling would be single storey in height and would be orientated such that the front elevation would face east out onto Blackthorn Drive. The dwelling would comprise of a lounge, a bedroom, kitchen and bathroom. It would be 8.2m in width, 6.1m in depth and 4.4m in height with a pitched roof. It would be constructed in facing brick work with a tiled roof. The front elevation facing onto Blackthorn Drive would comprise of a front door and two small ground floor windows serving the kitchen and the bathroom. The side elevation facing onto the existing dwelling No.35 would have double opening patio doors from the lounge and a further window serving the kitchen. A window serving the bedroom is proposed in the elevation facing south. The proposed single storey dwelling would be 19.5m from the rear of the existing two storey dwelling house.
- 3.2 The application form states that the existing dwelling does not have any parking, however up to two cars can be parked on hardstanding to the rear of the site. The proposals will result in the loss of this space. Space for three cars to be parked for the existing dwelling is shown to the front of the site and two spaces are shown for the new dwelling adjacent to the fence proposed to divide the two plots.
- 3.3 The amended site plan submitted on the 17 December 2014 shows a highway tree plotted in a grass verge adjacent to the site - some 6m from the end of the cul-de-sac's southern boundary. However, following the case officer site visit it is considered that this siting is incorrect and the highway tree is much further north within the grass verge, approximately 3m south of the existing fence that traverses the site and approx 16-17m from the southern boundary.

4 Policy Considerations

National Policy

The National Planning Policy Framework, March 2012

Havant Borough Local Plan (Core Strategy) March 2011

CS14 (Efficient Use of Resources)

CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS21	(Developer Requirements)
CS9	(Housing)
DM13	(Car and Cycle Parking on Residential Development)
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)

Havant Borough Design Guide Supplementary Planning Document 2011

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Highways

No objection so long as sufficient parking spaces are provided in accordance with adopted parking SPD.

Building Control

No public sewer. Bin storage provision required

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: 13

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 3 Letters of objection.

Summary:

(a) The hedge and tree boundary screen to the rear southern curtilage of the site must be conditioned to be retained. May be future pressure to prune due to bedroom window located to southern elevation

- (b) Proposal would lead to an increase in on street parking
- (c) Road is too narrow to accommodate a further access and during construction would block access to occupiers of adjacent dwellings.
- (d) Impact of noise from additional dwelling
- (e) Loss of hedgerow to rear will create biodiversity issues
- (f) Will the cycle storage be motor bikes or pedal bikes - *Such cycle storage as shown is usually for the provision of pedal cycles but such a matter would not be subject to planning condition.*

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) Appropriateness of design and effect on the streetscene;
- (iii) Effect on neighbouring properties and amenities of future occupants
- (iv) Highway Implications
- (v) Impact on trees
- (vi) CIL and SRMP considerations

(i) Principle of development

7.2 The site is within an urban area as identified by the Havant Borough District Wide Local Plan 1996-2011, therefore the proposal is acceptable in principle provided it is of a high quality design, the relevant contributions are provided and the proposal does not have a significant adverse effect on the neighbouring properties or the character of the area.

(ii) Appropriateness of design and effect on streetscene

7.3 The proposed dwelling is single storey in height and is orientated such that the front entrance door faces out onto the southern section of the hammer head of Blackthorn Drive. To this regard the design of the dwelling accords with the height and simple style of the terrace of small post war bungalows located opposite the site in the eastern most section of the Blackthorn Drive cul-de-sac. However, being single storey, it is not compatible with the existing two storey semi-detached dwelling within the site and its cramped and congested layout, with little more than 1m separating the long west flank elevation from the boundary, would not be in keeping with the immediate form of development and it is to this regard that the proposed dwelling would be detrimental to the amenities of the area. The subdivision of the plot in this manner clearly conflicts with the established pattern of garden depths associated with dwellings in the locality, with 9.5m approx allowed for the existing dwelling and only 7m approx. for the proposed dwelling.

As such it is considered that the development would be detrimental to the amenities of the area and contrary to the Borough Design Guide and Policy CS16 of the Havant Borough Core Strategy

(iii) Effect on neighbouring properties and the amenities of future occupants

- 7.4 The proposal would result in the loss of almost two thirds of the rear garden of No.35. This would reduce the length of the rear garden to No.35 to 9.5 metres approx. The adopted Design Guide normally requires garden depths of a minimum of 10m, however, the 9.5m depth shown, combined with the side section of the garden, are considered to be sufficient outside amenity space for this property.
- 7.5 With regard to the outdoor amenity provision for the new dwelling, only a small 7m deep section of side garden is available for the bungalow and it is considered that this would result in a cramped and congested layout to the detriment of the amenities of the future occupants of the proposed dwelling house. Further detriment to the amenities of the future occupants would be the overbearing impact and perception of overlooking from the two storey dwelling house onto the single storey property. The main lounge window of the proposal is orientated facing the rear elevation of No.35.
- 7.6 To the south of the site is No.19 Kingfisher Close which is a detached single storey dwelling. The side elevation of the proposed new dwelling will be 12m from the rear elevation of No.19 and this is considered to be acceptable. If permission were to be recommended further information would first be required to demonstrate how the hedge and tree screening to this boundary can be protected and retained in order to protect the amenities of both properties.
- 7.7 The adjoining neighbouring dwelling to No.35 is set sufficient distance away from the proposal so as not to be impacted to a detrimental extent. Furthermore, this form of corner development is usual in sites where sufficient amenity space is available.

(iv) Highway Implications

- 7.8 The Council's Development Engineer has raised no objection to the proposal on the grounds of the information provided within the application form that state the existing site has no off street parking.

(v) Impact on trees

- 7.9 No information has been provided as to how the existing trees to the rear of the site could be retained in order to protect privacy between the proposed dwelling and 12 Kingfisher Road. The highway tree located in the grass verge that runs to the east of the site has been plotted incorrectly on the site layout plan and it is considered that it has not been demonstrated that the new access to the proposed parking spaces can be constructed without the loss of this tree; which loss would harm the character of the street scene.

(vi) CIL and SRMP considerations

- 7.10 The CIL rates to be applied to development are set out in the Havant Borough Community Infrastructure Levy Charging Schedule, which was adopted by the council on the 20th February 2013. This followed two public consultation exercises and an Examination into the Charging Schedule by an independent Examiner. The Examiners Report concluded that the Havant Borough Council Community Infrastructure Levy (CIL) Charging Schedule provided an appropriate basis for the collection of the levy in the borough. The levy is charged at £100 per square metre on new floorspace (measured as gross internal area).

It is considered that there is a CIL liability for this site. A credit can be given for the

existing floorspace of the dwelling within the site and therefore only the additional floorspace is CIL liable. The agent has completed the CIL planning form and confirmed that the net additional gross internal floor space will be 45.06m and as such this will require a CIL payment of £4,506.16. The applicant has been advised of this sum accordingly.

- 7.11 This development would increase the number of dwellings within the 5.6km zone identified as significant in potentially increasing recreational pressure on the Solent SPA. Natural England's advice in regard all new housing development within this zone is that it is likely to have a significant effect on the SPA. The measures of mitigation adopted by the LPA at the end of June this year requires a payment of £172 per dwelling to the Solent Disturbance Mitigation Project. This applicant is aware of this payment and has agreed that it will be paid should they choose to appeal the decision.

8 Conclusion

- 8.1 The proposed development within the rear garden area of 35 Blackthorn Drive would be out of character with the locality, and would be detrimental to the amenities of the future occupants of the proposal and the loss of the garden space would be detrimental to the visual amenities of the area. It has not been demonstrated that the scheme could be accomplished without the loss of a highway tree or the tree screening situated to the southern boundary required to protect privacy. In addition, appropriate contributions to the Solent Disturbance Mitigation Project are not in place. It is therefore recommended that the application be refused.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **REFUSE PERMISSION** for application APP/14/01148 for the following reasons

- 1 Development of the site in the manner proposed would amount to overdevelopment in that it would give rise to unsatisfactory plot sizes and to a cramped and congested layout that would conflict with the established pattern of development in the locality, and would give rise to overlooking and an overbearing impact from the existing two storey dwellings to the proposed single storey dwelling such as would have an adverse impact on the amenities of any future occupiers. The proposal is therefore contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, the National Planning Policy Framework 2012, and Havant Borough Council Borough Design Guide: Supplementary Planning Document, 2011.
- 2 It has not been demonstrated that the siting and construction of the proposed access for the new dwelling would not result in the loss of a highway tree important in the local landscape. It has also not been demonstrated that the siting of the proposed bungalow would allow for the retention of the trees adjacent to the southern boundary of the plot, which provide an important buffer and screen. As such the proposal is contrary to policies CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 3 The proposal, without completion of the appropriate binding arrangements to secure a contribution towards the Solent Disturbance Mitigation Project, is contrary to the Council's Policy on contributions towards measures of mitigation adopted by the LPA which seeks to ensure that the provision is made from new development towards mitigating against increasing recreational pressure on the Solent SPA. It is therefore contrary to policies CS21 of the Havant Borough Local Plan (Core Strategy) 2011 and Policy DM24 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework 2012.