
Site Address:	110a West Lane, Hayling Island, PO11 0JW		
Proposal:	Erection of detached two storey garage and games room.		
Application No:	APP/15/00065	Expiry Date:	06/04/2015
Applicant:	Mr Danby	Team:	Team 2
Agent:	Mrs Perrett	Case Officer:	Tina Pickup
	PWP Architects		
Ward:	Hayling West		

Recommendation: **REFUSE PERMISSION**

1 Site Description

The application site is located in the rural area of central Hayling Island, being one of a small cluster of isolated dwellings to the east of West Lane. No 110a is the eastern half of what was once a large detached dwelling that is now subdivided and occupied as two dwellings. The building comprises a three storey render with plain tile, classically designed 'mansion' style dwelling accessed via a tree lined private drive that serves 110 a and 110b aswell as Littlemead Cottage (112) to the east.

The three properties are set within expansive grassed grounds that include both specimen and woodland trees. The eastern boundary comprises post and wire fencing and abuts open farmland. The whole area is relatively flat. The application site itself includes the access track running from West Lane along the southern boundary which extends the full length of the site and provides onward access via a five bar gate to the fields to the east. The access drive route turns northwards within the site at a point some 55m from the dwelling and provides a visual separation/distinction between the more domesticated lawned 'garden' to its west and the more rural/woodland character to the east.

2 Planning History

A detailed planning history search has revealed that historically 110 West Lane and Littlemead Cottage were in one ownership and all previous red lines accompanying various applications for extensions to both properties were drawn around the whole rectangular parcel of land. There are no apparent occupancy ties or restrictions on either dwelling. One change noted however relates to the route of the access drive – it originally took a more direct route to the front of the dwelling from a point further west along the private drive. No planning permission was found for the sub-division of the main dwelling into 2, but it is understood that the occupancy as 2 dwellings began at least 10 years ago.

More recent planning history:

APP/11/00329 - Demolition of existing single storey extension. Construction of new single storey extension (south west elevation). Erection of detached timber car port Permitted 23/5/11 NB/ The side extension has been implemented making the permission extant - although the car port has not been implemented.

This car port was a double bay with storage above, timber clad, sited to the east of 110 and south of 112, ie closer to the group of dwellings

3 Proposal

It is proposed to construct a two storey garage with games room above as a detached structure located towards the south eastern corner of the site, at the end of the access drive adjacent the field access. The building would have an approximate 'L' shaped footprint measuring a maximum of 13.3m long by 8m deep with pitched, gabled roof having an eaves height of 3.6m and ridge of 7.4m. It would have two single garage doors in its southern elevation providing 2 parking spaces with additional internal space at ground floor including a staircase to first floor (& potential for lower floor and wine cellar is also indicated on the plan) which is shown as one space with windows in the two gable ends and roof lights. The cross section plans provided indicate that the internal floor to ceiling height at ground floor would be 2.4m and 2m to base of rooflight on the first floor.

Materials proposed indicate clay roof tiles, cedar weatherboarding for the majority of the elevations with a brick plinth. The existing access drive would be extended to provide a hardsurfaced drive and turning area in front of the south elevation. The positioning of the building and route of the drive would enable the main adjacent trees to remain.

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)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS9	(Housing)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

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

Development Engineer - Highways - no objection

Arboriculturalist - the trees in this locality are very important in terms of the character of the area and appear to be healthy trees (no detailed inspection carried out). These trees can most certainly be considered to be a constraint for development. Any adverse impact on these trees would be unacceptable in Arboricultural terms and as such they should be protected from any ill designed proposals. No tree removal is required to facilitate this project, however I have some concerns regarding the relationship between proposed garage and trees T2 and T9, although as this is not a dwelling the pressure to prune is not considered a valid reason for refusal in arboricultural terms.

Therefore I note that the supporting arboricultural evidence is comprehensive, and provided that the methodology prescribed in this MS & TPP report is strictly adhered to (inclusive of site monitoring works) the trees will survive the development unscathed and to continue to grow on safely and healthily in the future

County Ecologist - The application is not accompanied by any ecological information and I have therefore undertaken a non-exhaustive desk-based assessment using the application documents, recent GIS mapping and online sources. In short, the

proposals will entail the new structure being built within an area of grass lawn and the removal of two trees. Given the likely limited value of the grassland habitat I would not be overly concerned with its loss. However, the two trees may exhibit features which could support legally-protected species such as bats and birds – the arboricultural report mentions stem dieback and fungal infections, both of which could cause fissures or cavities that could be exploited by protected species. Some further detail on the likely ecological implications of tree loss would be prudent.

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: 6

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 2

Summary: : 2 letters of **support**: in favour – if any closer to 110 would impact enjoyment of 112 - position by the farmers gate is a suitable location

Comment:

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
- (iii) Effect on character and appearance of area
- (iv) Impact on trees and ecology
- (v) Impact upon residential amenity
- (vi) Other matters

(i) Principle of development

7.2 The application site is situated beyond any identified Urban Area on the Proposals Map and accordingly within the rural area. Policy AL1 of the Allocations Plan reflects the presumption in favour of sustainable development contained in the NPPF and Policy AL2 notes that land outside the defined urban area on Hayling Island is 'non-urban' rather than forming a formal undeveloped gap between settlements. Policy CS17 states that 'Development in the non-urban areas will only be permitted if it is consistent with the policies for the countryside set out in national policy'. The NPPF has a presumption in favour of sustainable development with land-use planning principles including taking account of the different roles and character of different areas, recognising the intrinsic character and beauty of the countryside and conserving and enhancing the natural environment. The effective use of land is encouraged by reusing land that has been previously developed (brownfield land) whilst protecting land of high environmental value. With respect to rural housing paragraph 55 of the NPPF states that isolated new homes in the countryside should be avoided, unless justified by, for example as essential rural

worker housing, re-use of buildings or of exceptional design.

- 7.3 The site in question is not a sustainable location – being in rural Hayling there are no nearby or convenient bus routes, West Lane is unsuitable for pedestrians or cyclists and occupiers of the site are therefore reliant on the private motor vehicle. Being in this isolated rural area, *if* the application had been for a new dwelling, with no supportive exception justification, then this would be contrary to policy in principle and not supported.

(ii) Appropriateness of design

- 7.4 The proposed development is for a detached garage and games room which, as a householder development, has been submitted as an ancillary domestic structure for the benefit of the occupiers of the main house at 110a. Whilst the materials proposed are accepted as being appropriate to its rural location, the size, layout and siting within the curtilage are however considered inappropriate as an ancillary structure.
- 7.5 The size, scale and visual appearance of the proposed building is beyond that reasonably considered to be incidental to the main residential unit and has the visual appearance of a separate dwelling in its own right. Whilst the internal layout is not subdivided into rooms, externally all the windows and doors would exist to enable future internal subdivision. The now archived Circular 10/97 previously provided useful guidance at paras 2.81 on the definition of a dwellinghouse and stated that "...although there is no definition of what is a dwellinghouse, it is possible for the reasonable person to identify one when he sees it....It is considered that the criteria for determining use as a single dwellinghouse include both the physical condition of the premises and the manner of the use..." It is contended that in this case, the external physical appearance of the proposed building has all the characteristics of a dwellinghouse and any 'normal/reasonable' person would view the structure as a dwellinghouse.
- 7.6 The applicants agent provided some supporting information justifying the proposal and indicated that the garage would be used for housing a tractor, a secure workshop and storage for other garden equipment necessary for such a large plot of land. However it is contended that if this were the case the domestic scale of two single garage doors would be inappropriate. The stated function of the building does not match its visual appearance and design which is considered tantamount to the creation of a new dwelling in the countryside – which, in an unsustainable location, is not supported in principle, as indicated by paragraph 55 of the NPPF.
- 7.7 Furthermore the separation of the proposed garage and games room from the main house, at some 70m across open grassy garden area is not considered to be a convenient location for the occupiers of 110a for whom the building is intended. It is considered unlikely that residents would wish to park a car then walk to the main house with shopping etc exposed to all weathers all year long – it is human nature to park as close as possible to one's house. Again the suggested function of the building does not match its proposed siting.
- 7.8 Accordingly the overly large scale and visual appearance of the design is not considered appropriate as an ancillary domestic structure as part of a householder development. It is not well integrated or located to provide its purported function and would be unacceptable as a new dwelling in the countryside, contrary to paragraph 55 of the NPPF.

(iii) Effect on character and appearance of area

- 7.9 The site lies outside the nearby AONB, SPA, SSSI etc but nevertheless within a

rural area and has the visual character of the countryside with woodland features. The site bounds more open fields to the east and because this area to the east is flat and open, there are long distance views of the site from the A3023 Havant Road and public footpath No 87. From the east the green main house and Littlemead Cottage are clearly visible across the intervening fields but are grouped together and appear side by side. The proposed building, at some 7.4m high, sited within 4m of this eastern boundary, would therefore appear as a further structure and building bulk, evident in these rural views from the east. Furthermore the siting in the south eastern corner is away from the existing grouping of buildings and would result in additional building bulk visually encroaching further south and having a detrimental presence in the landscape.

7.10 The site itself features roughly mown grass with trees; it is not overly domesticated and maintains an open and uncluttered appearance having a rural character. The addition of the proposed building would erode this open rural character – the associated drive would further add to the urbanisation and domestication of the visual appearance of the site. The isolated positioning, unrelated to the host dwelling is considered to result in an incongruous feature in this rural landscape, harmful to the visual quality and appearance of the area. Should the building be used as a dwelling then the associated domestic paraphernalia would be further visually inappropriate to the setting of the site.

7.11 Policy CS11 seeks to protect and enhance the environment, ensuring both the statutory and non-statutory landscapes are protected and where possible enhanced. It is considered that the siting of the proposed large structure as proposed, close to the field boundary would be harmful to the rural character of the landscape and contrary to this policy. Furthermore policy CS16 requires development to respect its local context and integrate with the local landscape features. It is considered that the introduction of this additional building in an otherwise undeveloped part of the site that is not related or grouped with other buildings on the site, fails these criteria and is contrary to the aim of this policy.

(iv) Impact on trees and ecology

7.12 The proposal could be implemented as submitted without loss of any trees on the site, however the footprint is very close to the root protection area of several trees. The LPA's Arboricultural Officer has commented that the trees are important in terms of the landscape character of the area. As a garage with no habitable accommodation the proximity of the trees and the resultant overshadowing and leaf litter would not in itself cause an issue to the use of the building and therefore there is no arboricultural objection to the proposal as submitted.

7.13 However *if* the building were to be occupied for residential purposes, even as ancillary accommodation, the proximity of the trees may result in pressure on them to be severely pruned or felled. This reinforces the view that as a dwelling the proposal is further unacceptable.

7.14 The County ecologist has commented that two of the trees may exhibit features which could support legally-protected species such as bats and birds and that some further detail on the likely ecological implications of tree loss would be prudent. Had this permission been recommended for permission then some further ecological surveys and mitigation measures may have been appropriate, but since this application is recommended for refusal then such information has not been requested.

(v) Impact upon residential amenity

7.15 The site is large enough that the proposed siting would be sufficiently away from 110b or Littlemead Cottage (112) so as not to result in any loss of amenity from comings and goings

or outlook.

(vi) Other matters

7.16 It is appropriate to note that the recent permission for the single storey extension and car port has become extant by virtue of the implementation of the extension. Therefore the car port could still be implemented on site. Whilst the applicant no longer owns the parcel of land on which the car port was sited, it is now on land belonging to Littlemead Cottage, it could nevertheless still be implemented by the owners of Littlemead Cottage. This car port approved measured 8.3m by 7.95m and was located approximately 16m north east of 110a. This was in a far more appropriate location being grouped with the main development on site, and the now proposed additional garage would potentially add to the proliferation of structures on the site and is considered unnecessary and harmful to the visual appearance and character of the site.

7.17 The applicant has also provided a plan showing the various ownerships of the 3 properties which includes a 1.58 acre parcel of land to the south of the access drive that he intends to purchase. This land is beyond the established residential curtilage of the site and would currently be considered agricultural land. Therefore to include it within the residential curtilage of 110a and extend the garden into this land, would require a separate change of use planning application. This additional parcel of land would sit to the south of the proposed garage building and there would be concern that it could become an extended curtilage for the proposed building *if* it were occupied as a dwelling.

8 Conclusion

8.1 The proposed development, by virtue of its design, scale and siting, being separated from the host dwelling, is considered both to represent an isolated, incongruous building that is harmful to the visual landscape and rural character of the area; and would be tantamount to the creation of a new dwelling in the countryside for which there is no justification and is contrary to paragraph 55 of the NPPF. The proposal is therefore recommended for refusal.

9 **RECOMMENDATION:**

That the Executive Head of Planning and Built Environment be authorised to **REFUSE PERMISSION** for application APP/15/00065

(A)

(B) for the following reasons

- 1 The proposed development, by reason of its design, scale and siting would represent an isolated and incongruous building, unrelated to the host dwelling, which would be harmful to the visual landscape and rural character of the area. The siting of the garage in the south east corner of the site, some 70m from the host dwelling, would not be a convenient location for residents of the dwelling and would be a prominent structure detrimental to the appearance of the landscape when viewed from public footpath No 87 and the Havant Road to the east. Furthermore the design is not considered appropriate for the intended purpose as a tractor and garage store. The proposal is therefore

contrary to policy CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 2 The size, scale and detailed design of the development proposed has the visual characteristics of a residential dwelling and as such is considered tantamount to the creation of a new dwelling in the countryside. Without any overriding justification, and in an un-sustainable location, this would be contrary to paragraph 55 of the National Planning Policy Framework 2012 and policies CS9 and CS17 of the Havant Borough Local Plan (Core Strategy) 2011, policy AL2 of the Havant Borough Publication Local Plan (Allocations).