
Site Address:	36 Havant Road, Hayling Island, PO11 0PX		
Proposal:	Outline application for construction of 1No. 2 bed chalet style dwelling with all matters reserved.		
Application No:	APP/14/01030	Expiry Date:	08/12/2014
Applicant:	Ms E Foster	Team:	Team 1
Agent:	Mr D McGregor	Case Officer:	David Eaves
Ward:	Hayling West		

Recommendation: **REFUSE OUTLINE CONSENT**

1 Site Description

- 1.1 The site lies to the eastern side of Havant Road within the non-urban area. The site is located in a small group of properties fronting Havant Road. These properties are mainly bungalows some with rooms within the roof. The site is isolated from significant employment and retail and social opportunities.
- 1.2 There are significant trees to the north of the site entrance (subject to a TPO) and on the frontage of the site.
- 1.3 The site is layed to grass with an existing gated access to Havant Road. The site is divided by a fence with a trailer and vehicle parked to the rear (east) at the time of my site visit.

2 Planning History

07/57904/003 Construction of 1No. 2 bedroom chalet bungalow with integral garage. Refused August 2007 and Appeal dismissed August 2008

99/57904/002 .Outline application for one detached dwelling house, utilising existing access on to Havant Road Refused July 1999 Appeal Dismissed Jan 2000

98/57904/001 Change of use of the land for the parking of two vehicles, retention of concrete hardstanding to north east corner of site and erection of garden shed (revised application) Permitted January 1999

3 Proposal

Outline application for construction of 1No. 2 bed chalet style dwelling with all matters reserved.

The application includes 'Preliminary' site layout and street elevations which indicate that a chalet style building would be provided set back from Havant Road a similar distance to the adjoining properties.

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)
CS12	(Chichester Harbour Area of Outstanding Natural Beauty (AONB))
CS14	(Efficient Use of Resources)
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS20	(Transport and Access Strategy)
CS21	(Developer Requirements)
CS9	(Housing)
DM11	(Planning for More Sustainable Travel)
DM13	(Car and Cycle Parking on Residential Development)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)
DM9	(Development in the Coastal Zone)

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)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist

No comments received

Coastal Engineering

The Coastal Partnership team request that the applicant submit additional flood risk assessment information for this site to accompany the application prior to determination.

Although the applicant has submitted a flood risk assessment compiled by Dan McGregor Associates, it is considered deficient and requires additional supporting information. Areas of clarification have been listed in response.

Chichester Harbour Conservancy

Due to the position of the planning proposals outside the Settlement Policy Areas, and positive contribution of this gap in built form the development would harm the openness of the countryside and also the setting of the AONB. Two previous applications have been refused for similar development in 1999 and 2007 and the policies requiring only essential development in the countryside have not changed under Policy AL2 and CS11 of the Havant Borough Local Plan. Although 99/57904/002 and 07/57904/003 were both Appealed, I note these Appeals were dismissed.

The Local Planning Authority is advised that the Conservancy recommends refusal of this application.

County Minerals

No comments received.

Environment Agency

Whilst the proposed development site, as indicated by the red line boundary, does partly fall within Flood Zone 2, defined by the Environment Agency Flood Map as having a medium probability of flooding, the actual proposed development is located within Flood Zone 1, defined by the Environment Agency Flood Map as having a low probability of flooding.

We recommend that consideration be given to use of flood proofing measures to reduce the impact of flooding when it occurs. Flood proofing measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels. We would recommend that flood proofing measures are secured by way of planning application and we would recommend that finished floor levels are set no lower than existing.

We note that the applicant refers to the incorporation of flood proofing measures; however no details of these measures are given within the submitted Flood Risk Assessment. Consultation with your building control department is recommended when determining if flood proofing measures are effective.

In addition, no floor levels have been provided within the Flood Risk Assessment and the applicant proposes to provide finished floor levels at the Reserved Matters stage. We would recommend that floor levels are provided at the Outline application stage (within the Flood Risk Assessment submitted) so that this can be taken into consideration when determining the application.

The LPA will need to decide whether or not this development is appropriate based on the lack of information provided with the application itself.

County Ecologist

No comments received.

Natural England

This application is within close proximity to the Chichester Harbour Site of Special Scientific Interest (SSSI). This site is also part of the Solent Maritime Special Area of Conservation (SAC), the Chichester and Langstone Harbours Special Protection Area (SPA) and Chichester and Langstone Harbours Ramsar Site which is a wetland of international importance under the Ramsar Convention. The application also falls adjacent to the Chichester Harbour Area of Outstanding Natural Beauty (AONB).

Natura 2000 site – No Objection Subject to Conditions

Natural England advises your authority that the proposal is not likely to have a significant effect on the interest features for which the above SSSI/SAC/SPA/Ramsar sites are designated, either alone or in combination with other plans or projects subject to conditions to the effect of the following attached to any permission granted:

- ☐ No percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbAmax – measured at the sensitive receptor) to be undertaken during the bird overwintering period (i.e. October to March inclusive).
 - Note: The sensitive receptor is the nearest point of the SPA or any SPA supporting habitat (e.g. high tide roosting site). In this instance the field to the rear of the application site which is identified within the Solent Brent Goose and Waders Strategy and could be impacted by this proposal.
- ☐ All materials, equipment and machinery will be stored in a designated compound within the curtilage of the property. This is required in order to protect the adjacent SPA supporting habitat.

Solent Recreation Mitigation Partnership

This application is within 5.6km of the 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.

Natural England is satisfied that, subject to the imposition of the above conditions/advice and the development being undertaken in strict accordance with the submitted proposals and the conditions set out above, these development proposals will avoid impacts upon the interest features of the Chichester Harbour SSSI.

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Protected species

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

Development Engineer

The Highway Authority has no adverse comment to this application.

Waste Services Manager

I have no concerns over this planning application regarding waste collection at this location.

Landscape Team

The site bounds the AONB boundary – though the proposal matches existing style dwellings for height and footprint I would expect that the proposal ensures it's rear boundary is vegetated so as not to impact visually in this low flat landscape. The current outline plan does not show sufficient planting in the indicative layout. Materials and elevations required to make formal judgement on possible impact on AONB.

The site sits within LCA 31 which records the low flat landscape and open nature. With this in mind I would recommend the applicant propose the rear boundary planting as mentioned above to conserve and enhance the landscape as the Landscape Character Assessment sets out.

The retention of the tree along the main road is welcomed to retain the local character. More planting can be accommodated within the site if of a suitable species.

Planting within the site – opportunities to enhance the local character with additional planting should be investigated, especially along boundaries to enhance the sites potential character.

Materials: There must be some hard standing/surfacing that leads to the garage at the rear? – specification of a suitable surface without causing adverse impact to the semi rural location would be welcomed.

Suitable details of planting and materials required.

Crime Prevention -Minor Apps

No comments to make.

Public Spaces Development Manager

No comments received.

Southern Water

Sewer record provided, public foul sewer crosses site.

No development or new tree planting should be located within 3m either side of the centreline of the public sewer and all existing infrastructure should be protected during the course of construction works.

No new soakaways should be located within 5m of a public sewer.

Hampshire Biodiversity Information Centre

Adjacent - Wader and Brent Goose Strategy- Solent Wader and Brent Goose Strategy Sites

Adjacent - SINC - Verner Common West (Notable Species - Brent Geese)

Within 50m - SINC - South of Daw Lane D (Notable Species Brent Geese)

Within 200m - SSSI - Chichester Harbour

Within 200m - SPA, RAMSAR - Chichester and Langstone Harbours

Within 200m - SAC - Solent Maritime

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: 2

Number of site notices: 1

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) Nature of the development
- (iii) Impact on character and appearance of the area
- (iv) Effect on residential amenity
- (v) Flood risk
- (vi) Highways matters
- (vii) Effect on protected species
- (viii) Developer contributions

(i) Principle of development

7.2 The site lies outside the built up area where new residential development is not normally acceptable. Policy CS17 relates to the need to concentrate new development (including housing) in the urban areas. The principle of residential development is therefore not considered to be acceptable in this location.

(ii) Nature of the development

- 7.3 The proposal is an outline planning application with all matters reserved to the Reserved Matters stage. The description indicates that the dwelling would be a 'chalet dwelling'. There are 'preliminary' site layout and street elevation plans which show a dwelling with access from Havant Road, a dwelling sited back from the highway between existing dwellings, a rear garage and cycle store and the retention of an on site frontage tree.

(iii) Impact on character and appearance of the area

- 7.4 The area is outside the built up area and has a rural character with fields and boundary hedgerows and trees interspersed by small groups of dwellings, farms and harbourside industry. The landscape is relatively flat and the site is immediately adjacent to Chichester Harbour Area of Outstanding Natural Beauty. To the west beyond Havant Road is open farmland and to the east of the site is an open field leading to an inlet of Chichester Harbour.

- 7.5 The application site itself is located in a small group of 8 dwellings with similarly sized plots on the eastern side of Havant Road. The plot has an open undeveloped aspect when viewed from Havant Road and whilst it is appreciated that there are existing dwellings either side of the plot when viewed from Havant Road, the development of the site would lead to an intensification of the existing residential development detracting from the remaining rural character of the area.

- 7.6 Within such areas new residential development without specific justification (for example a farm workers dwelling) is normally refused. The provision of a chalet style bungalow would consolidate development on the east side of the road and lead to an unacceptable intensification of residential development having a harmful impact on the semi-rural character of the area. Furthermore the area is isolated from shops employment and other facilities and would result in an over reliance on the private car, resulting in an unsustainable development in an isolated location.

(iv) Effect on residential amenity

- 7.7 As an outline application, it is difficult at this stage to assess the impact on the residential amenities of adjoining residents. It is however considered that any reserved matters application could include a design that would lead to an acceptable relationship between dwellings.

(v) Flood risk

- 7.8 The site is located mainly within flood zone 1 with a small part of the rear of the site (beyond the likely siting of the building) shown within Flood Zone 2. The EA have recommended that consideration be given to flood proofing measures. Finished floor levels are not provided at present and the FRA states that floor levels will be confirmed by the architect at the reserved Matters stage. The EA recommends that these details are provided at outline stage. The Coastal Engineer has also requested further information in relation to flood risk. In this case it is considered that as the building itself would be sited in FZ1, the outline consent includes no details and is seeking to establish only the principle of development and that any raised floor level requirement is likely to be modest it would not be proportionate or reasonable to insist on these details at this stage.

(vi) Highways matters

- 7.9 The proposed access is likely to be in the position of an existing dropped kerb and adequate car parking can be provided on site. The Development Engineer has raised no objection to the proposed development.

(vii) Effect on protected species

- 7.10 The site is located adjacent to SINC's and close to the international and national designations of Chichester Harbour (SSSI, RAMSAR, SPA etc) and adjacent to Brent Goose strategy sites. The application has been assessed by Natural England who have confirmed that subject to the imposition of conditions and SPA disturbance mitigation requirements the proposal would have an acceptable impact on nature conservation interests.

(viii) Developer contributions

- 7.11 The development would be liable for CIL contributions charged at £100/sqm of floorspace. As the application is in outline form the floorspace is not yet known. An informative in relation to CIL requirements is recommended to be added to the decision notice.

- 7.12 In addition, the development would require a contribution of £172 (plus monitoring and admin fee) to mitigate against adverse effects from recreational disturbance on the Solent SPA sites, as agreed by the Solent Recreation Mitigation Partnership (SRMP). As the recommendation is to refuse planning permission this contribution has not been received or sought at this stage.

8 Conclusion

- 8.1 In conclusion, the principle of residential development in this non-urban area in the absence of an overriding justification would be contrary to the policies of the development plan, result in unsustainable development and detract from the character and appearance of the area.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **REFUSE OUTLINE CONSENT** for application APP/14/01030

(A) for the following reasons

- 1 The proposal represents the undesirable addition of a dwelling in an area of countryside for which there is no overriding justification. It is therefore contrary to policies CS9 and CS17 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Statement 2012.
- 2 The proposed development would result in a new dwelling outside the built up area without special justification and consolidate existing sporadic development on the east side of Havant Road which would be harmful to the attractive semi-rural character of the area and the adjacent Chichester

Harbour Area of Outstanding Natural Beauty. Furthermore the development would be located in an unsustainable location where the occupiers of the dwelling would be likely to have an over reliance on the private car. The development would therefore conflict with policies CS9, CS12, CS16, CS17, DM9, DM11 and DM12 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