

**TOWN AND COUNTRY PLANNING
ACT 1990 (AS AMENDED)**

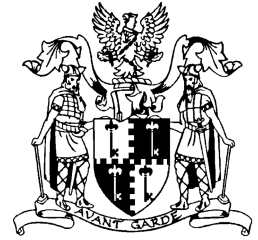
**STATEMENT OF
HAVANT BOROUGH COUNCIL**

**1-30 and 32 – 35 Fairlight Chalets, Salterns
Lane, Hayling Island**

**Local Planning Authority Reference:
APP/12/00896**

**Planning Inspectorate Reference:
APP/X1735/A/13/2194326**

HAVANT BOROUGH COUNCIL



TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)

APPEAL BY Mr P MASON AGAINST THE DECISION OF HAVANT BOROUGH COUNCIL TO REFUSE TO GRANT PLANNING PERMISSION FOR REMOVAL OF CONDITION 7 OF PLANNING PERMISSION HWU2788 AND CONDITION 1 OF PLANNING PERMISSION 13268/3 TO ALLOW FOR PERMANENT OCCUPATION OF CHALETs 1-30 AND 32-35 INCLUSIVE AT FAIRLIGHT CHALETs, SALTURNS LANE, HAYLING ISLAND.

Planning Inspectorate Reference: APP/X1735/A/13/2194326

LPA REF: APP/12/00896

1.0 THE APPEAL SITE AND ITS SURROUNDINGS

- 1.1 The site is a development of 36 chalets off a private drive off Saltorns Lane. It is abutted on all sides by residential development. The chalets are arranged in blocks of 2 or 3 and are of brick construction with tiled pitched roofs. The original layout was one of 2 bedrooms with sitting room, kitchen and wc. A number of them have been extended to the rear. Each chalet has a small private area to the rear, although where extensions have taken place this is reduced to a very insignificant area. The chalets are maintained to different standards.
- 1.2 Originally the frontage area was all laid to grass with a central drive. Over time this area has changed and the frontage of some chalets have been enclosed by the owners to relate to their individual chalet. Some have laid it out formally for parking; some are used more as a garden amenity area than for parking use and there are others that have made little change and it is still a grass area.
- 1.3 In terms of use of the chalets it is evident that some are used in accordance with the prevailing planning conditions as during a site visit in October 2012 (out of the permitted season for occupation) there were a number with the frontage areas chained off, bikes and boats padlocked up and curtains drawn so it was concluded they were used for holiday purposes. Others, at the time of the visit in October, were actively occupied with cars parked outside. In view of the submissions it has been used as a mixed use site but with the majority used for holiday purposes in accordance with the conditions. More details on the occupation of the chalets is provided in Section 2.
- 1.4 The central access does not have a turning head. The entrance area in front of 31 and 31a has visitor parking. The access drive only has a width for one car and visibility at the junction with Saltorns Lane is very limited as a result of an oak tree on each side. There is no footway on Saltorns Lane.
- 1.5 Plans are included in **Appendix A** showing the location of the site and its layout.

2.0 PLANNING HISTORY

HWU 2788 - Erection of 30 chalets. Permit 8/2/54 subject to condition 7 which states 'these chalets shall only be occupied between the period of 1st March and 31st October of each year.' A copy of this decision was forwarded with the

questionnaire.

13268/3 - Erection of 5 chalets (nos 31, 31a, 32, 33, 34 and 35) Permit 28/3/62 subject to condition 1. that 'The chalets shall be occupied only between the 1st March and the 31st October in any year'. A copy of the decision was forwarded with the questionnaire. Whilst the decision included the land area of 31a the chalet on that particular area of land was built under the decision below.

13268/4 erection of 1 chalet (no 31a) permitted in 1967 with no restriction.

95/52925/3/CLE – Certificate of Lawfulness for no 31 for use of property as a dwellinghouse. Granted 11/5/1995.

89/54234 - C/U of no 27 for residential use - Permit 14/12/1989 with condition limiting it to a single manager between 1 March and 31 October.

95/56717/2 - No 1 - Relief of condition 7 of HWU2788 to enable year round occupation. Refused and appeal dismissed 2/2/1996 under reference APP/X1735/A/95/257803. Appeal decision attached in **Appendix B**. Summary of reasons for dismissal were:

- Even when extended chalets close together with little private amenity space; central area would be taken up with vehicles and too cramped to be lived in permanently.
- Access - single car width; visibility poor; conflict with peak flow traffic; wrong to permit more intensive use.
- Loss of holiday accommodation.

03/54234/001 - No 27 - remove condition restricting use to manager out of season. Refused and appeal dismissed 2/2/1996 under reference T/APP/X1735/A/95/257803/P8. Appeal decision attached in **Appendix B**. Summary of reasons for dismissal were:

- Year round availability for warden.
- Whilst size is acceptable for permanent occupation the amenity space is not.
- As warden occupies all year level of traffic would not be significantly different.
- Loss of dwelling related to tourism.

Since the decision in respect of this current application the subject of the appeal 7 other chalets have had Certificates of Lawfulness granted on 9/1/2013 for use of the chalets as single dwellinghouses. The chalets and their references are:

APP/12/01196 – No 1
APP/12/01197 – No 2
APP/12/01198 – No 3
APP/12/01202 – No 16
APP/12/01203 – No 19
APP/12/01201 – No 20
APP/12/01200 – No 30

In respect of no 18 a Breach of Conditions Notice was issued on 22 February 2013 requiring that 'Occupation of the chalet to be ceased outside the period of 1st March to 31st October in any year.'

A plan is attached in **Appendix A** annotated with the chalets that can be occupied permanently all year without any restriction.

3.0 THE APPLICATION

- 3.1 The application the subject of this appeal was refused on 12th November 2012 and the decision notice is attached. The plan that was submitted to identify the site subject to the application was Drawing No P1545/1 of July 2012.
- 3.2 The application and appeal has been made by the Fairlight Chalet Owners Association and not infact the actual owners of the chalets. It is of note that one owner has made a representation that they do not support the proposal. It is considered that removing the conditions in a blanket manner for the site would be imposing a change in the planning status of chalets on the owners. As the application has been made without the total agreement of all owners this is not considered appropriate.

4.0 PLANNING POLICY

- 4.1 The Development Plan comprises the Havant Borough Local Plan (Core Strategy) 2011 and the Saved Policies of the Havant Borough District Wide Local Plan (Saved Policies) In addition the National Planning Policy Framework sets the national framework for the consideration and determination of planning applications.
- 4.2 The following policies of the Havant Borough Local Plan (Core Strategy) 2011 (HBLP (CS) 2011) are considered to be particularly relevant to the determination of this appeal:

CS1	(Health and Wellbeing)
CS14	(Efficient Use of Resources)
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS20	(Transport and Access Strategy)
CS21	(Developer Requirements)
CS5	(Tourism)
CS9	(Housing)
DM11	(Planning for More Sustainable Travel)
DM12	(Mitigating the Impacts of Travel)
DM13	(Car and Cycle Parking on Residential Development)
DM3	(Protection of Existing Employment and Tourism Sites)
DM4	(Static Holiday Caravan Development)

Saved Policies of HBDWLP 1996 - 2011 forming part of HBLDF

R17	(Playing Space Related to New Housing Development)
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Copies of the policies referred to in the reasons for refusal were forwarded with the questionnaire and more details in relation to the relevance of these policies will be provided in part 6 of this appeal statement.

5.0 REPRESENTATIONS AND CONSULTATIONS

5.1 REPRESENTATIONS

The 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: Two

Summary: One from an individual owner of a chalet; one other.

- No wish to use chalet from November to March and would not want reduced Council Tax prejudiced.
- Chalets are not suitable for more than holiday visits; endorses reasons in 2004 appeal.
- The occupation of all chalets could have a huge impact on the single drive.
- At the moment probably no more than 20 chalets occupied at any one time. The change could lead to approximately 100 persons living on site including families.
- Considers his own chalet does not have sufficient heating, cooking or laundry facilities to live there full time.
- If permitted it should be restricted to present owners currently in residence, for named single person occupancy, property not to be let and permission only until property is sold.
- access poor
- the units are currently substandard for occupation

5.2 CONSULTATIONS

The following consultations were received when the application was determined:

Environmental Health

I refer to the above application under the Town & Country Planning Acts passed to this Service for comment.

I have read the enclosed documentation provided by the applicant and can comment as follows:

These properties were originally constructed as holiday accommodation and Planning permission was granted on that basis. Occupation was restricted to 1st March to 31st October each year.

It seems likely that the cottages were never intended as permanent dwellings for all year round occupation and an objection would probably have been raised to them

being used for permanent occupation if planning consent for such use had been sought.

Should planning permission be granted to allow year round occupation it is likely that it would be necessary for all the dwellings to be inspected under the Housing Act 2004, and in particular Part 1, The Housing Health and Safety Rating System for the following 29 hazards:

Physiological	Psychological	Infection	Safety
• Damp & Mould Growth • Excess Cold • Excess Heat • Asbestos and man made fibres • Biocides • Carbon Monoxide • Lead • Radiation • Uncombusted fuel • Volatile organic compounds	• Crowding and Space • Entry by Intruders • Lighting • Noise	• Domestic Hygiene etc. • Food Safety • Personal Hygiene • Water Supply	• Falls in baths etc. • Falls on the level • Falls on stairs etc. • Falls from windows etc. • Electrical hazards • Fire hazards • Hot surfaces etc. • Collision/Entrapment • Ergonomics • Explosions • Structural collapse

If the dwellings were found to have Category 1 or more serious Category 2 hazards the Housing Act 2004 requires the Council to take the most appropriate course of action to either remove the hazards or reduce them. As a minimum, the Category 1 hazards would have to be removed. The Act lays down the various courses of action open to a local authority and these are:

- Improvement Notice – requiring the execution of works to remove the hazards.
- Prohibition Order – prohibiting occupation until the hazards have been removed / reduced.
- Suspended Improvement Notice / Prohibition Order i.e. a temporary suspension of the above
- Hazard awareness notice – only appropriate for less serious Category 2 hazards or possibly Category 1 hazards if owner occupied
- Demolition Order
- Declaration of a Clearance Area – where there is an area with a significant number of other properties in similar condition.

The applicant has not shown that the individual existing structures meet the requirements and standards of the Housing Act 2004, and in particular Part 1, the Housing Health and Safety Rating System.

I therefore have to object to this application on the grounds of insufficient information with reference to the above concerns about the suitability of the chalets for year round occupation.

Development Engineer

Comments in relation to Hampshire County Council Transport Contributions Policy:

For new holiday accommodation we have reduced the contribution by 50% to take into the reduced number of trips. Therefore they are credited with 50% per property. This means that each 2 bed property should pay £1,872.

Comments in relation to site layout issues:

Reasons for refusal in respect of no turning, insufficient width and inadequate sight lines. It is considered an unsustainable location so the full HBC parking standards should apply.

Planning Policy

Promoting Havant Borough's Economy: The chalets are existing tourist accommodation and are therefore safeguarded under policies CS5 and DM3 of the Local Plan (Core Strategy). Evidence is required that the chalets are no longer fit for purpose as holiday accommodation and financially unviable for any tourism use. No information on this matter has been submitted with the application. Policy DM4 deals with static caravans and the reasoned justification explains the wish of the Council to differentiate between holiday caravans and residential dwellings.

Caring for our Borough: If the caravans were to be used for permanent residential occupation they would have to meet level 3 in the Code for Sustainable Homes in line with policy CS14.

The planning application needs to comply with all aspects of policy CS16 on high quality design particularly criterion 1e on not causing unacceptable harm to the amenity of neighbours and criterion 2 on producing a positive relationship between buildings, street and spaces.

The application needs to comply with all aspects of policy CS15 on flood risk. The site is currently within flood zone 1, but the PUSH SFRA climate change maps predict that the entrance to the site will be located in flood zone 3 in 2115.

Infrastructure: The application will need to comply with policy CS20 on transport and access and policy DM11 on planning for more sustainable travel.

Policy Principle of Development: Refuse

6.0 PLANNING CONSIDERATIONS

- 6.1 Having regard to the relevant policies of the development plan and the reasons for refusal within the decision notice it is considered that the main issues in respect of this appeal are:

- Issue 1: Principle of development and impact on tourism
- Issue 2: Acceptability of chalets and the site for all year round residential use
- Issue 3: Highway Implications
- Issue 4: Impact on Infrastructure

First Issue

- 6.2 The intention of the original permissions was to provide a site of holiday chalets. There are 36 chalets on the site. The way the two relevant conditions are worded is to allow occupation of the chalets for 8 months of the year. The two conditions

relevant to this appeal applied to 35 of the chalets. However no 31 subsequently gained a Certificate of Lawfulness for use as a single dwelling. The application the subject of the appeal related to the remaining 34 chalets. One of these chalets (no 27) may be occupied over the winter period by a single manager. At the time of the application we were also advised that there were 8 chalets that were occupied all year. Since the determination of the application 7 chalets have gained Certificates of Lawfulness to be occupied as single dwellings and a Breach of Conditions Notice has been served on another chalet requiring compliance with condition 7 of planning permission HWU 2788.

There are now, therefore, some chalets occupied for holiday purposes in the permitted period and some lawfully occupied all year as permanent dwellings. There are now 9 that may be occupied lawfully as single dwellings and one that may have a warden occupying during the out of season period. However, the majority, 26 chalets, should be occupied in accordance with the relevant conditions and be utilised for holiday accommodation or second homes. The site therefore contributes to the stock of holiday accommodation and adds to the mix of hotels, holiday camps and caravan sites in the Borough and particularly on Hayling Island. It provides an individual type of holiday accommodation. The loss of 27 chalets as holiday accommodation would be contrary to the Core Strategy policies CS5 and DM3 that seeks to protect tourism sites. Policy CS5 sets out the criteria for new tourism provision in the Borough but also seeks to safeguard all types of tourist accommodation that are fit for purpose. With respect to the chalets the site is actively used and clearly continues to contribute to the tourism accommodation stock of the Borough. Policy DM3 deals with the protection of tourism sites and requires in DM3.2 that a change of use from tourism purposes will only be permitted where it has been demonstrated that the land or premises are not fit for purpose and financially unviable for tourism. Whilst some owners have found it attractive to occupy their chalet permanently there is no evidence that the chalets that are subject to the conditions relevant to this appeal are not fit to be occupied as holiday accommodation or are not financially viable to be occupied for holiday accommodation. No evidence has been presented in respect of these criteria and no arguments have been made that there is not a market for the chalets as tourist accommodation.

Second Issue

- 6.3 | At the moment the site is 'occupied' in a low key way with approximately two thirds of the chalets being occupied in accordance with the conditions re occupation. We have the situation where some chalets are essentially original, in which case they are probably not of the standard to meet the requirements and standards of the Housing Act 2004. Environmental Health raised concerns at the application stage that there was insufficient information with reference to the concerns about the suitability of the chalets for year round occupation. No further information has been submitted with the appeal. The unextended chalets do have a small area of private amenity space. Planning Policy have submitted that the units should have to meet Level 3 of the Code for Sustainable Homes but this has not been put forward as a reason for refusal

On the other hand there are extended chalets which are well maintained and will probably meet Environmental Health requirements, but again there is no evidence to substantiate this. This statement is based on an external visual assessment. However, in these cases the chalets usually have no, or very little, private amenity space. It is therefore considered that it has either not been demonstrated that the units provide satisfactory living accommodation or where the accommodation would be satisfactory the units are left with inadequate amenity space for permanent

occupation.

In the event permanent occupation was accepted in principle then the units, which were designed as 2 bedroom units, would require 2 car parking spaces each in accordance with the Council's SPD in respect of Residential Parking. The site is not considered to be in a highly accessible location where 1 space per unit would be acceptable. Two spaces a chalet would be difficult to achieve and would result in the whole of the central area having to be put over to parking. This would totally alter its current character and emphasise the inadequacy of the site to be utilised for all year round occupation. For the whole site to be occupied permanently would result in a total change from a site with a balance between an attractive setting with a suitable balance between amenity areas and parking to a very intensively used site with inadequate space to provide a satisfactory environment for the occupiers.

These concerns over the physical unsuitability of the site for permanent residential occupation were endorsed by the appeal decisions for the individual cases in respect of no 1 and no 27 referred to in Section 2. These physical issues have not altered since that time and it is considered that the site would not provide a suitable estate for permanent residential accommodation. The site would become cramped and over intensively used, particularly with all the chalets in use for permanent residential occupation and would be contrary to Core Strategy Policy CS16. To allow the appeal would not provide 'high quality homes' or 'good design' as required by Sections 6 and 7 of the National Planning Policy Framework.

Note: The reference to policy DM3 in reason for refusal 2 was in error.

Issue 3

- 6.4 The earlier appeal for no 1 was dismissed on the basis that the access was inadequate in width and had poor visibility. Those factors haven't changed and if this proposal was accepted there would be a further 27 units adding to the traffic generated on a permanent basis.

The site was developed in keeping with the requirements of the 1950s and operating primarily as a holiday estate generates irregular and different traffic patterns to permanent residential properties. During the winter traffic movements are minimal. However, should a similar proposal for holiday accommodation be proposed today higher standards of highway design would be looked for including the visibility that is achieved at the junction of the drive with Salterns Lane. At present the visibility for emerging vehicles from the site is very limited and similarly for approaching vehicles the position of the access is not clear. It is not possible to increase the visibility or improve the entrance. The normal highway requirement would be 2.4m by 47m for a road with a 30mph restriction. If permanent occupation of all the chalets is allowed then the concentration of trip generation into the peak periods will probably increase. It is therefore considered the visibility splays at the junction of the access with the highway are in fact inadequate and the traffic generated from the introduction of further permanently occupied chalets would cause danger and inconvenience to users of the adjoining highway. To allow permanent occupation of the entire site is therefore considered contrary to policies CS16, CS20 and DM12 of the Core Strategy.

With respect to the drive it is inadequate being only of a single car width and with no passing bay provision. There is also no turning area at the head of the development. The internal road layout is not considered to be at an adequate standard to serve permanently occupied dwellings. With these aspects being below standard and with the car parking provision expected to increase considerably if

permanent occupation was allowed the ability to access and manoeuvre within the site would be severely compromised. It is therefore considered that the proposal would be contrary to policy CS16 and DM13 of the Core Strategy.

Issue 4

- 6.5 On the matter of infrastructure requirements sought by the Council for residential development a scheme for this amount of units would be subject to contributions and provision in respect of transport, play space and affordable housing as detailed in reasons for refusal 6, 7 and 8. The letter to the agent, Mr Hedges, of 13 November 2012 which was forwarded with the appeal questionnaire details the requirements as they stood when the application was determined. However, as 7 units have since been granted with Certificates of Lawfulness for occupation as single dwellings the amounts that would be sought would be reduced. However, in respect of all three matters no discussions have been undertaken with the applicant since the decision was issued and no unilateral legal agreements have been submitted to address the reasons for refusal.

Transport: Under the Hampshire Transport Contributions Policy the standard contribution for a 2 bedroomed property is £3,745. As the chalets already generate trips to the network they have been credited with a 50% reduction so resulting in a required figure of £1,872. The application involves 34 chalets, although 7 of these may now lawfully be occupied. It would therefore only be reasonable to seek the contribution in respect of 27 units. As a legal commitment to a contribution has not been made it is considered the proposal is contrary to policies CS21 and DM12 of the Core Strategy.

The basis for the **Hampshire Transport Contribution Policy** is The **Hampshire Local Transport Plan 2011-2031 (LTP)** which identifies key challenges facing the South Hampshire Area, these include:

- Secure funding to deliver transport improvements;
- Ensure timely delivery of transport infrastructure to support housing growth etc;
- Widening the travel choice to offer people reasonable alternatives to the private car for everyday journeys, and reducing the need to travel, moving towards a low-carbon economy.

To deliver the transport vision for South Hampshire key outcomes including:

- Reducing dependence on the private car through an increased number of people choosing public transport and the 'active travel' modes of cycling and walking
- Improved awareness of different travel options available to people for their journeys, enabling informed choices about whether people;
- Improved accessibility;
- Promoting a higher quality of life.

The details of the Contributions Policy is attached in **Appendix C**. The infrastructure is necessary to provide new and balanced transport capacity for the additional demands imposed by the development and to provide local accessibility improvements to ensure that non car users from the development are well provided for within the Borough. Without the infrastructure being provided, motorised traffic from the development will add to already congested highway network conditions.

This will be a further deterrent to cyclists who will have to share road space with vehicles, to pedestrians who will have to cross increasingly busy roads and to bus users who will find their bus journeys increasingly unreliable. The infrastructure provided will provide facilities to encourage travel by walking, cycling, bus and Community Transport. Finally the extra demands on the wider network will perpetuate the existing problems highlighted in the LTP therefore adding pressure to an already busy network resulting in further congestion to the detriment of the network, environment and the economy in this location.

Local schemes have been identified and these are highlighted in the table in **Appendix D** as schemes which the site could contribute to.

Play Space:

Saved policy R17 of the Havant Borough District Wide Local Plan seeks contributions to play space for housing developments for more than 5 dwellings where the amount of open space is not appropriately provided on site. The requirement is £543.50 for each bedroom, therefore amounting to £1,870 for each 2 bedroomed chalet. For the 34 chalets the subject of the application that amounts to £63,580. For 27 chalets (on the basis of not seeking the contribution for those that have recently gained Certificates of Lawfulness) the figure would be £50,490.

Whilst the accommodation might be small they do provide 2 bedrooms and certainly could accommodate children. The requirements of children and adults in permanent occupation would differ from those visiting occasionally for holiday purposes and there would be a greater demand placed on play and outdoor sports facilities. If the chalets are to be permanent accommodation it is considered appropriate that contributions are made, in the same way as with a new housing scheme, to contribute towards the play space provision which the residents could access.

Affordable Housing:

Under the provisions of Core Strategy Policy CS9 affordable housing is required on sites of 15 dwellings or more at a level of 30 – 40%. For sites of between 5 and 14 dwellings a suitable contribution or on-site provision is to be provided. For a housing development of 27 this policy would be applicable. It is appreciated that as the chalets are individually owned a commitment to on site provision would not be appropriate; nor are the chalets likely to meet the required standards to be affordable units. The alternative of a contribution is therefore the manner in which the provision could be achieved. Guidance was provided in the Council's letter of 13 November 2012 as to how the contribution could be calculated but the applicant has not sought to enter discussions or offer a contribution since that date or during the appeal process. As no binding arrangements are in place for the provision of affordable housing the proposal for permanent residential occupation of the units is considered unacceptable and contrary to Policy CS9.

7.0 GROUND'S OF APPEAL

7.1 With respect to the points numbered 1 – 8 in the grounds of appeal the Council would comment by reference to the same number:

1. The removal of the conditions would allow the chalets to be occupied as permanent residential accommodation and there would be no ability through planning policy to restrict their use to tourist accommodation. As the chalets could then be occupied all year their value would increase and with time it is considered they would all change to residential.
2. It is considered that this statement adequately addresses the issue of the

standard of the accommodation.

3. With the chalets used as holiday accommodation the parking impact is of less detriment to the amenity of the estate as there would not be full occupation of all the chalets all the time. Once all the chalets are occupied permanently the site would have to accommodate the parking for all the chalets all the time thereby resulting in a congested and less attractive site than is provided at present. As the chalets are 2 bedroomed and not in a highly accessible location it is considered that the car ownership would be 2 cars a unit to take account of the travel demands placed upon a working couple or a family.
4. The comment is noted but as with point 3 above it is considered the site would generate more vehicular traffic and the drive and its visibility is not adequate for a site where all the units are permanently occupied.
5. This argument is not founded. The majority of chalets are not occupied all year and during the 'season' are not all fully occupied. The traffic generation will be different and greater from a permanently occupied site.

6, 7 and 8. Whilst the proposal is not a new residential development the change of use proposed by the removal of the conditions will result in the same demands placed upon the infrastructure of the locality as a new housing development and on that basis the contribution requirements in respect of transport and play space should be applied. Whilst the units are small and may be the most affordable in the locality as residential units the proposal will be bringing forward 27 more dwellings. Consequently the affordable housing policy should be applied.

- 7.2 The appellant has made reference to an appeal decision at Solent Breezes, Warsash, Hampshire in respect of an enforcement notice for a chalet that was not being occupied in accordance with a restrictive occupation condition. However, that case differs in that it was for a single unit and the units on the site could be occupied on winter weekends and Bank Holidays. The unit in question was considered suitable for year round occupation Furthermore there is no discussion about the amount of amenity space available for the unit and the impact of providing the required level of parking; nor about the standard of the access serving the site. It is not therefore considered that the site is directly comparable to the case the subject of this appeal.

8.0 CONCLUSION

- 8.1 It is therefore considered that seeking to remove these conditions in a blanket manner for the site is unacceptable with respect to the loss of tourist accommodation, on the basis that it has not been established that the standard of the construction of the chalets is acceptable for permanent occupation and that the site would become over intensively used with inadequate private amenity space. In addition there would be inadequate parking and turning provided on the site and the access is of insufficient width and the visibility onto Salterns Lane is poor. For a residential scheme of 34 units (27 in view of the 7 units recently in receipt of CLEs for permanent accommodation) contributions are required for transport, open space and affordable housing. There is no commitment by way of legal obligations to make the necessary contributions for these aspects so the proposal is not acceptable on these grounds either. It is considered that this statement by the Council justifies the Council's reasons for refusal and the Inspector is respectfully requested to dismiss the appeal.

APPENDICES

- (A) Plans
- (B) Copies of appeal decision ref: APP/X1735/A/95/257803 for Chalet 1 and T/APP/X1735/A/95/257803/P8 for Chalet 27.
- (C) Hampshire Transport Contributions Policy
- (D) Hampshire Transport Contributions Policy – local schemes.