

**ERECTION OF 1NO ONE BEDROOMED
BUNGALOW WITH ASSOCIATED
PARKING, TO REAR OF 70 RAILS LANE,
HAYLING ISLAND,
HAMPSHIRE, PO11 9LP**

**SUPPORTING PLANNING, ACCESS AND
DESIGN STATEMENT
By STEPHEN JUPP MRTPI
ON BEHALF OF MR J BROWN.**

1.0 BACKGROUND

- 1.1 Rails Lane is a residential road located within the urban area in the south east of Hayling Island. The site is located on the east side of Rails Lane. The east side of Rails Lane which contains the site, is characterised by detached, properties which are staggered to reflect the slight curvature in this section of the road.
- 1.2 No. 70 Rails Lane contains a two storey, detached property with a hard standing to the front and a separate entrance and exit. The property has a rear garden of between 28 and 29 metres in depth and between 14 and 15 metres wide. The land is level and contains a lawn and soft landscaping. There is currently a caravan positioned in the rear section of the garden.
- 1.3 A driveway, on the southern side of the existing two storey house (No. 70), leads to a large garage used as a blacksmiths workshop, at the rear of which is part of the rear garden, laid with lawn. A large caravan is presently stationed at the rear of the workshop, close to the southern boundary and also a garden shed. The boundaries of this level site are defined by 2 m. high close boarded fences.
- 1.4 The Local Planning Authority, Havant Borough Council, registered a planning application, as valid on the 29th February 2012 under reference APP/12/00224.
- 1.5 That application sought detailed planning permission for the erection of 1no 2 bedroomed bungalow with associated parking and landscaping on land rear of 70 Rails Lane, Hayling Island. It would have a ridge height of 4.5m.
- 1.6 The design scheme submitted with the planning application shows in the layout that the proposed bungalow has been sited within the application site, in a generally similar position to that of the immediately neighbouring property north of the site. This chalet bungalow (No.74A), sited at the rear of No.74 Rails Lane, was granted planning permission in 2008 and has since been extended with the addition of a large conservatory. The existing workshop and the large

caravan will be removed in order to create a vehicular access driveway and turning area within the site. The surface of the driveway will be finished with permeable block paving. Two parking spaces will be provided within the site. The existing boundary fences will be retained. As part of redevelopment of the existing house, the existing front boundary which presently consists of a brick wall and a line of mature coniferous plants will be modified to provide a reduced dwarf wall; the conifers will be replaced with new plants, with the primary objective of improving visibility when entering the adjoining road.

1.7 The existing vehicular access arrangements will be improved from the recently acquired additional area of land associated with the southern access, as indicated on the layout plan submitted with the application. Parking provision for three cars will be retained to serve the existing house (No.70).

1.8 The application was determined under delegated powers and was refused for the following two reasons:

1 The proposed development, by reason of its backland form, limited plot size and proximity of the dwelling, parking and access way close to site boundaries would result in a cramped form of development. This would be harmful to the character of the area, would not provide satisfactory living conditions for the occupants and would have an adverse effect on the amenities of occupiers of adjoining properties. The proposal is therefore contrary to policy CS16 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and the National Planning Policy Framework 2012.

2 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 seeks to ensure that the provision is made from new development towards improvements to the

transport infrastructure. It is therefore contrary to policies CS21 and DM12 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and the National Planning Policy Framework 2012.

- 1.9 Subject to this undertaking being completed there was one single issue between the principle parties, namely, does the proposed development provide a satisfactory form of development which neither harms the amenity of neighbouring properties nor the character and appearance of this part of Rails Lane.
- 1.10 An appeal was lodged against this refusal of planning permission and the appeal was dismissed on 22nd February 2013.
- 1.11 In the appeal, the inspector considered there to be two main issues. These were:
- The effect of the development on the character and appearance of the Rails Lane area of Hayling Island.
 - The effect of the development on the living conditions of prospective and existing occupiers with particular regard to outlook, garden area and noise and disturbance.
- 1.12 On issue 1 the inspector concluded at paragraph 4 that *“The resulting character and appearance is of development in depth with buildings visible through gaps along the frontages, either as new backland development or the rear of older established dwellings. On that basis, and taking account of the necessary removal of the existing garage, and the opening-up that this would bring to the frontage, the introduction of a further building to the rear would not adversely affect the character and appearance of the area. The requirement of Policy CS16 to respond to the features of the area would be met.”*
- 1.13 In terms of issue 2, living conditions, the inspector found there to be a number of shortcomings. In particular the inspector identified the following:

- The proposed access drive would cause harm to the enjoyment of the host dwelling's rear garden;
- Manoeuvring and parking close to rear of 68 and the back garden of 1 Fishery Lane would harm the quiet enjoyment of those properties;
- Remaining rear garden for host dwelling would be affected by car movements;
- The proposed dwelling would have limited outlook for the rear bedroom.

1.14 This resubmitted scheme seeks to address those specific concerns raised by the appeal inspector.

2.0 POLICY CONTEXT AND ANALYSIS

A Introduction

- 2.1 Policies relevant to the determination of the proposal are set out in material planning and other policy guidance: the National Planning Policy Framework and the Havant Core Strategy 2011 which forms part of the Havant Borough Local Development Framework. These policies are explored in the following paragraphs of this statement, together with an analysis of the appeal proposal's compliance with the same.

B NATIONAL PLANNING POLICY FRAMEWORK

- 2.2 The Policies of the Development Plan are obliged to closely reflect Government Planning Guidance.
- 2.3 Paragraph 49 of the NPPF makes it clear that housing applications should be considered in the context of the presumption in favour of sustainable development.
- 2.4 Other parts of the NPPF recognize the need to respect the character of surrounding development.

C LOCAL PLANNING POLICY CONTEXT

The Havant Borough Core Strategy

- 2.5 This document was adopted by the Council on 1st March 2011.
- 2.6 Policy CS16 is cited in respect of refusal reason 1 and it relates to 'High Quality Design'.
- 2.7 The policy is criterion based and covers numerous issues. Since refusal reason 1 relates to local context it is presumed that the LPA

consider that criterion 1 is breached. This requires new development to draw inspiration from, and respect, local context, and:

- a) Identifies and responds positively to existing features of natural, historic or local character within or close to the proposed development site;*
- b) Integrates with existing local landscape features, promotes wildlife and biodiversity and/or applies characteristics of the local area into the design of a scheme wherever possible to create variety and interest;*
- c) Uses the characteristics of the locality to help inform the design of the new development including heights, massing, existing buildings lines, plot widths and depths, materials and proportions of windows and doors;*
- d) Is well connected to and integrates with the immediate local area and the wider area by linking to existing pedestrian and cycle routes and encouraging people to use public transport where possible; and*
- e) The development does not cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking.*

- 2.8 An analysis of the previous refusal reasons; the comments in the officers report; and the findings of the inspector in the appeal decision letter; now indicate that criteria e) is the one outstanding criteria since it relates specifically to the amenity of neighbours.

3.0 PLANNING ISSUES

- 3.1 In paragraph 1.13 I identified, from the appeal decision letter, that the inspector considered there to be a number of shortcomings on his second identified issue, namely, the effect of the development on the living conditions of prospective and existing occupiers with particular regard to outlook, garden area and noise and disturbance.

Impact on Neighbours

- 3.2 No issues of overlooking or overshadowing arise. In addition there will be no adverse impact on the dwellings to either the north, south or rear. The siting of the proposed bungalow is such that sufficient room is left to the south boundary and 70 Rails Lane has an appropriate rear garden area, some 8.6m in depth, which, along with the low profiled design of the bungalow, will ensure that there is no adverse effect upon their amenities.
- 3.3 There are no windows serving habitable rooms on the relevant flank walls of either 68 or 70 Rails Lane. The side-to-rear distance of 12m exceeds the generally accepted requirement of a distance of 11m.
- 3.4 It is no longer proposed to have a driveway going down to the rear plot, nor to have a parking area to the rear.
- 3.5 These changes have significant environmental benefits for neighboring properties. Neither the host dwelling; no 68, no 1 Fishery lane will be adversely affected by car movements.
- 3.6 There is now much more space around the proposed dwelling and there is room for landscaping between the host dwelling and the proposed bungalow as well as along the southern boundary which bounds the rear gardens of no 68 and 1 Fishery Lane.
- 3.7 The scheme is for a small one bedroomed bungalow. Likely noise and disturbance generated by such a small dwelling will be minimal.

Neighbouring properties are sufficiently far enough away, and this along with the retention of existing substantial hedgerows and their reinforcement with fencing where appropriate, will ensure that any minor increase in disturbance will not harm their amenities.

- 3.8 The host dwelling will be provided with 2 parking spaces and the proposed bungalow with one. There will be a shared turning area to ensure that vehicles do not have to reverse onto the road.
- 3.9 On this one outstanding issue I conclude that material harm to the amenities of neighbouring occupiers will not occur from this amended proposed site layout.

4.0 CONCLUSIONS

- 4.1 I strongly conclude that the revised scheme – which responds to the shortcomings identified in the previous scheme – will result in a form of development that respects its situation and surroundings.
- 4.2 An inspection of the area reveals that generally dwellings are closely spaced – this is not an area of any special open or verdant quality. Indeed the LPA have not sought to impose any special designation upon the area.
- 4.3 The pattern of development in the locality is mixed with a range of plot sizes and patterns of development. Backland development is a characteristic feature of this part of Hayling Island with a number of such examples being in close proximity to the site.
- 4.4 The site is uncharacteristically deep and this affords the opportunity for this form of backland development without compromising the character of the area or harming neighbouring properties.
- 4.5 There are three backland properties immediately adjacent to the appeal site – numbers 72, 80 and the recent permission rear of 74, directly to the north of the appeal site. Whilst plot sizes vary the principle of backland development and accesses adjacent to dwellings has been established.
- 4.6 The reduction in size of the proposed dwelling and the provision of a shared parking and turning area at the front has resulted in significant improvements to the proposed scheme. There will be no driveway or any activity associated with vehicular movements in the rear part of the site.
- 4.7 For the reasons set out above it is concluded that the proposed development now fully complies with the policies of the Core Strategy and receives strong support from the NPPF.

- 4.8 On the basis of the foregoing officers are respectfully requested to SUPPORT this amended scheme and grant planning permission for the proposed development.