
Site Address:	70 Rails Lane, Hayling Island, PO11 9LP		
Proposal:	Erection of 1No. one bedroom detached bungalow with associated parking and landscaping. (Revised Application).		
Application No:	APP/13/00490	Expiry Date:	16/07/2013
Applicant:	Mr Brown	Team:	Team 1
Agent:	Mr Jupp	Case Officer:	Heather Lealan
	Stephen Jupp MRTPI		
Ward:	Hayling East		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 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.

2 Planning History

APP/12/00224

Erection of 1No 2 bed detached bungalow with associated parking and landscaping. This application was refused by officers for the following 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.*

A subsequent appeal was submitted by the applicant. The appeal was dismissed but not in regard to the effect of the development on the character and appearance of the area. The Inspector dismissed the appeal on layout and relationship with existing dwellings. In specific regard to the impact on surrounding residential amenities from

the use of the hardstanding associated with the new dwelling and that the rear garden of the host dwelling would be too small.

3 Proposal

The application seeks consent for a no. 1 bed, detached bungalow positioned to the rear of no. 70. The bungalow would utilise the same access as no. 70.

The applicant has sought to address the concerns of the Appeal Inspector by reducing the number of bedrooms within the new dwelling. As such reducing the level of parking provision required and terminating the hardstanding for the proposed dwelling at the same point as the existing hardstanding within the site. Also amended plans were submitted during the course of the application which moved the new dwelling further back thus providing a larger garden area for the host dwelling.

4 Policy Considerations

NPPF 2012

Core Strategies 2011 forming part of the HBLDF

CS14	(Efficient Use of Resources)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS20	(Transport and Access Strategy)
CS21	(Developer Requirements)
CS9	(Housing)
DM12	(Mitigating the Impacts of Travel)
DM13	(Car and Cycle Parking on Residential Development)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Building Control: Bin storage to be provided and no public sewer

Development Engineer:

Approve subject to the provision of

- one parking space and turning on site as shown on the submitted drawing
- the storage of cycle
- block the existing access incorporating some planting
- the payment of a contribution of £1,980

Waste Services Manager: No comments received

Crime Prevention:

The plan shows the proposed dwelling in an open plan layout. Preventing casual access to the rear (private) areas of a dwelling is key to make the dwelling secure. Therefore I recommend the placing of internal barriers to prevent casual access to the rear of the proposed dwelling. The barriers should be of robust construction and

at least six feet high. Any gates within the barrier should be of a similar height to the adjacent barrier and fitted with a key operated lock that can be operated from either side of the gate.

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: 1, anonymous

(a) Concerns regarding size of plot in that it is too small to accommodate a further dwelling

(b) The sewers in the area are not capable of supporting an additional dwelling *This is not a material consideration.*

(c) Impact of additional traffic on already busy road and Fishery Lane corner which has high accident ratings.

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 existing dwelling (no. 70)
- (iv) Effect on character of area
- (v) Effect on neighbouring properties
- (vi) Highways

(i) Principle of development

7.2 The site is within an urban area as identified by the Core Strategy. Policy CS17 states that new dwellings should be concentrated in the existing urban area, therefore the proposed dwelling is acceptable in principle, subject to also satisfying policies CS16 and DM13. The Appeal Inspector established the principle of tandem development within this site as acceptable so long as all the other development control criteria are acceptable.

(ii) Appropriateness of design

- 7.3 The proposed dwelling has a footprint of 10.404 metres by 6.204 metres. The bungalow is of a traditional design with a hipped roof. The proposed materials include: facing bricks, render, concrete roof tiles and UPVC window and door frames. It is a one bedroom property and so is unlikely to be used as a family home and as such a small garden area is considered to be acceptable.

(iii) Effect on existing dwelling (no. 70)

- 7.4 The amended plans submitted on the 3 July show a remaining garden to the rear of No.70 to be 10.5 metres in depth. The depth of garden is therefore in accordance with the Havant Borough Urban Design Guide states that garden length should normally allow 10 metres between the dwelling and the boundary.

(iv) Effect on character of area

- 7.5 The Appeal Inspector did not consider that development to the rear of this property would be out of keeping or adversely effect the character of the area.

(v) Effect on neighbouring properties

- 7.6 Given the single storey nature of this dwelling it is considered that the impact on the surrounding existing dwellings would be acceptable. The Inspector had concerns and dismissed the previous scheme on the impact of the hardstanding on the adjacent residential dwelling. The level of hardstanding has now been reduced within this revised proposal and terminates at the point of the existing hardstanding and it is now considered to be acceptable.

- 7.7 The rear garden remaining for the host dwelling has been increased from 8.5m as shown on the previously refused application to 10.5m which is in accordance to the adopted Design Guide.

(vi) Highways

- 7.8 Adequate parking and cycle storage can be provided for the host and proposed properties. No objection in relation to highway safety has been received from the Development Engineer. A highways contribution is required. A s106 has been entered into and paid up front in full.

8 Conclusion

- 8.1 Further to the appeal decision and Appeal Inspector's comments it is considered that this revised scheme overcomes the Inspectors concerns and as such should be permitted with conditions.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/13/00490 subject to the following conditions

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted.
Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 Construction of the buildings hereby permitted shall not commence until samples and details of all external facing and roofing materials shall be submitted to and approved by the Local Planning Authority. Thereafter only such approved materials and finishes shall be used in carrying out the development.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework, March 2012.
- 3 No development hereby permitted nor any related site clearance shall commence until plans and particulars specifying the finished levels (above ordnance datum) of both the ground floors of the proposed buildings and the surrounding ground levels in relation to existing ground levels have been submitted to and approved by the Local Planning Authority.
Reason: In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework, March 2012.
- 4 The development shall not be brought into use until a minimum of 1 parking space has been provided for the new dwelling and two parking spaces have been provided for the existing dwelling within the site in accordance with Plan 1 rev a received 3 July 2013 and thereafter all of those spaces kept available for such purposes.
Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and National Planning Policy Framework, March 2012.
- 5 The development hereby permitted shall be carried out in accordance with the following approved plans:

Planning, Access and Design statement received 21 May 2013
OS Site Location Plan license No. O1385741 received 21 May 2013
Proposed Site Layout and Block Plan 1 rev a received 3 July 2013
Proposed floor plan and section Plan 2 received 21 May 2013
Proposed elevations Plan 3 received 21 May 2013

Reason: - To ensure provision of a satisfactory development.
- 6 Prior to the occupation of the development a Post Construction Certificate shall be submitted to the Local Planning Authority. The Certificate shall state that the development has attained a minimum standard of Level 3 of the Code, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure that the development is carried out in accordance with Policy CS14 of the Havant Borough Local Plan (Core Strategy) 2011 and the

National Planning Policy Framework 2012.

- 7 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extension, building or structure permitted by Part 1, Classes A, E and F of The Town and Country (General Permitted Development) Order, as amended, shall be erected within the curtilage of the existing dwelling or the new dwelling hereby permitted without the prior written approval of the Local Planning Authority.

Reason: To ensure that the development is satisfactory in terms of residential amenity and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework, March 2012.
- 8 No development hereby permitted shall commence until a specification of the materials to be used for the surfacing of all open parts of the site proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be brought into use until the implementation of all such hardsurfacing has been completed in full accordance with that specification.

Reason: In the interests of the amenities of the locality and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 9 No development hereby permitted shall be commenced until a more detailed soft landscaping scheme for all open parts of the site not proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the proposed finished ground levels in relation to the existing levels, the distribution and species of ground cover to be planted, the positions, specie sand planting sizes of the trees and shrubs to be planted and/or retained, and timing provisions for completion of the implementation of all such landscaping works.

The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions. Any tree or shrub planted or retained as part of such approved landscaping scheme which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 10 The occupation of the building hereby permitted shall not commence until the existing access to No 70 Rails Lane shown to be blocked on Plan 1 rev a has been closed. The closure shall thereafter remain in place unless otherwise agreed in writing by the Local Planning Authority.

Reason: To accord with the terms of the application and in the interests of highway safety and having due regard to policies CS16 and CS20 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.