

DELEGATED OFFICER REPORT

Site Address:	Harbour Court, 15 Langstone Road, Havant		
Proposal:	Construction of detached 4 bedroom bungalow with associated refuse and cycle stores and on site parking.		
Application Type:	Full Planning Permission		
Application No:	APP/25/00204	Expiry Date:	09/06/2025
Applicant:	Mr Johnson		
Agent:	Mr Flint	Case Officer:	Lesley Wells
	Chris Flint Ass Ltd		
Ward:	St Faiths		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The site is located on the east side of Langstone Road opposite Langbrook Close to the west. The site is to the rear of Harbour Court, backing onto residential properties in Southbrook Close.
- 1.2 The area is characterised by detached houses of varying ages, sizes and styles, with 15 Langstone Road to the west a 3 storey block of flats.
- 1.3 There is a TPO Group on the western boundary fronting Langstone Road, with a TPO tree sited on the eastern boundary of the site. Trees are also located on the eastern and southern boundaries of the site.
- 1.4 The proposed dwelling and access would be sited wholly within Flood Zone 1 and would remain so, on current information, with climate change.

2 Planning History

APP/14/00673 - Two storey detached dwelling to south of existing property, with detached double carport to front and new access off Langstone Road., PERM,19/12/2014

APP/16/00668 - Erection of 4 no. 2 bed Flats and 1 No. 1 bed flat with associated pavilion building housing bins and cycles together with parking and amenity space., REF,04/05/2017

APP/18/00897 - The demolition of an existing dwelling and construction of 9No. 2 bedroom flats; including associated access, landscaping and parking. (Approved 07/12/2018). Request to discharge condition No/s 3, 6, 7 and 11 (26/07/2021). Request to discharge /condition nos. 5 & 12 (6.8.21). Request to discharge condition No/s 4 and 13 (27/09/2021). Request to discharge conditions 5, 6, 12 (30/06/2022). Request to discharge conditions 8 and 14 (30/08/2022). Request to discharge condition 16 (08.11.22)., PERM,07/12/2018

3 Proposal

- 3.1 The proposal is for the construction of a detached 4 bedroom bungalow with associated refuse and cycle store and on site parking. Total gross internal floor area for the dwelling would be 196sqm. A flat roofed cycle store would be to the rear of the site, which would provide for 4 cycles, with an internal floor area of approximately 13.5sqm. As to parking 3 spaces would be provided together with a turning area to the front of the proposal.
- 3.2 The application site is approximately 0.08 hectares (excluding the driveway to the site), which for the majority of the plot was the approved communal garden area, (plus two parking spaces) for the development granted planning permission under reference APP/18/00897 for 'The demolition of an existing dwelling and construction of 9No. 2 bedroom flats; including associated access, landscaping and parking.' Instead of the approved communal garden being provided on the application site, a small area has been established, within what was part of the private garden for No. flat 3 with seating, planters and artificial grass, to the north west of the application site. Private amenity spaces has also been provided for the occupiers of the ground floor flats. The reason that the area the subject of this application was not provided as a communal area, was on the grounds it is not required, and was considered to be an unnecessary maintenance expense for the occupiers.
- 3.3 Two parking spaces would also be provided to the front of the site, to replace those lost to gain access to the application site.

4 Policy Considerations

National Planning Policy Framework
 Havant Design Guide SPD 2011
 Havant Car Parking SPD 2016 (partially updated September 2019)

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)
CS21	(Developer Requirements)
CS9	(Housing)
DM13	(Car and Cycle Parking on Residential Development)

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)

Emsworth Neighbourhood Plan

N/A

Listed Building Grade: Not applicable.
 Conservation Area: Not applicable.

5 **Statutory and Non Statutory Consultations**

Arboriculturalist, Tree Team - No Objection

I have looked at the Arboricultural information for this application and there is a tree survey and plan – it would appear adequate to a degree as only G11 are considered to be a constraint to development – Cat B Trees.

However, there is no AMS in relation to works near to retained trees or a TPP included – these must be provided to ensure the trees remain unharmed during construction should permission be given for this project.

Officer Comment: *An AMS and TPP would be the subject of a pre-commencement condition, which together with all the conditions, has been agreed with the agent, if permission is granted.*

Building Control - No Comment

Community Infrastructure

CIL Liable: <http://www.havant.gov.uk/community-infrastructure-levy-charging-schedule>.

Additionally, pending a response from Natural England on the 'HRA', instructions should be passed by the Case Officer to the CI Team to:

(a) Issue the Solent Recreation Mitigation Strategy Unilateral Undertaking, based on the number of additional dwellings and their respective number of bedrooms. See Unilateral Undertaking - Solent Recreation Mitigation Strategy | Havant Borough Council

b) Issue the Nutrient Neutrality Unilateral Undertaking. See <https://www.havant.gov.uk/nitrogen-developers>

Biodiversity Net Gain

In England, biodiversity net gain (BNG) is now mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

Developers must deliver a biodiversity net gain of 10%. This means a development will result in more, or better quality, natural habitat than there was before development.

More information is available:

<https://www.gov.uk/guidance/meet-biodiversity-net-gain-requirements-steps-for-developers>

There are some exemptions and if an exemption is claimed this must form part of the planning application submission

Councillor Daniel Berwick - No Comment

Councillor Gillian Harris - No Comment

Councillor Phil Munday - St Faiths - No Comment

Crime Prevention -Minor Apps - No Comment

Ecologist

Final Comment – No Objection

The application is now accompanied by an amended Preliminary Ecological Assessment (Daniel Ahern Ecology, July 2025), and accompanying Statutory BNG Metric (Daniel Ahern Ecology, July 2025).

The BNG report shows that the habitat on site is described as Modified Grassland (g4) and the completed Metric states that the site comprises Vegetated Garden (as a secondary habitat category). There are also trees and shrubs within the site red line. BNG applies to all habitats within the submitted red line boundary, whether affected or not.

The submitted BNG information shows a 22.95% habitat unit gain (0.4 units). The submitted BNG information is acceptable.

I would recommend that all BNG requirements are secured through condition. Recommended condition wording is provided below.

A Biodiversity Gain Plan shall be prepared in accordance with Statutory BNG Metric (Daniel Ahern Ecology, July 2025) and must include:

- (1) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the on-site habitat and any other habitat;
- (2) the pre-development biodiversity value of the on-site habitat;
- (3) the post-development biodiversity value of the on-site habitat;
- (4) any registered off-site biodiversity gain allocated to the development and the value of that gain in relation to the development;
- (5) any biodiversity credits purchased for the development; and
- (6) any such other matters as the Secretary of State may by regulations specify.

The development shall not commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan, has been submitted to, and approved in writing by, the local planning authority. The HMMP shall include:

- (7) a non-technical summary;
- (8) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- (9) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- (10) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- (11) the monitoring methodology and frequency in respect of the created or enhanced habitat.

Notice in writing shall be given to the Council when the:

- (12) HMMP has been implemented; and

(13) habitat creation and enhancement works as set out in the HMMP have been completed.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP. Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

Appendix 3 of the Preliminary Ecological Appraisal contains a series of recommendations for ecological mitigation. These are acceptable. If you are minded to grant permission, can I suggest that these measures are secured by condition.

Development shall proceed in accordance with the ecological avoidance and mitigation measures detailed within the Preliminary Ecological Assessment (Daniel Ahern Ecology, July 2025).

Reason: to protect biodiversity in accordance with the Environment Act 2021, Conservation Regulations 2017, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Core Strategy March 2011.

Officer Comment: *The above conditions are recommended if permission is granted.*
Ecologist

Interim Comment - Further Information Required

The application is now accompanied by a Preliminary Ecological Assessment (Daniel Ahern Ecology, June 2025), a Biodiversity Net Gain Report (Daniel Ahern Ecology, February 2025) and accompanying Statutory BNG Metric (Daniel Ahern Ecology, May 2025).

The BNG report shows that the habitat on site is described as Modified Grassland (g4) and the completed Metric states that the site comprises Vegetated Garden (as a secondary habitat category). There are also trees and shrubs within the site red line. BNG applies to all habitats within the submitted red line boundary, whether affected or not.

The submitted BNG information shows a 11.10% habitat unit deficit (0.12 units). No information is provided on how this deficit is to be addressed. Whilst the submission of a Biodiversity Gain Plan is a post-permission matter, Havant Borough Council strongly recommends that additional information is provided at the application stage to allow the Council to determine if, and how, the required BNG will be delivered – either wholly on-site, wholly off-site or a mix of both.

The submitted BNG Metric shows that trading rules are not satisfied. This is presumably down to the fact that the habitat baseline includes urban trees and no gain in trees is included within the post-development site. BNG applies to all habitats within the red line boundary, irrespective of whether impacted or not. In other words, the retention of trees is not on its own sufficient to achieve the required 10% BNG. A single urban tree planted on site would hopefully satisfy the trading rules error.

NPPF, Circular 06/2005 and Natural England Standing Advice, require that planning decisions are based on full, up-to-date ecological information and it is essential that all necessary survey, assessment and mitigation information is available to the Local Planning Authority prior to determination, particularly in the case of protected sites, habitats and species, which are a material planning consideration. This will enable the Local Planning Authority to determine the application on the basis of full knowledge about the potential ecological impacts of the proposal and to ensure that any impacts can and will be mitigated.

Ecologist

Initial Comment - Further Information Required

The application is accompanied by a Biodiversity Net Gain Report (Daniel Ahern Ecology, February 2025) and accompanying Statutory BNG Metric (Daniel Ahern Ecology, February 2025).

I would welcome clarification on the BNG calculations. The BNG report shows that the habitat on site is described as Modified Grassland (g4) and the completed Metric states that the site comprises Vegetated Garden (as a secondary habitat category). Some site habitat photos from the ecological survey visit would be helpful. Having reviewed the images shown in the submitted Design & Access Statement it looks as though there are possibly several other plant species present e.g. Bramble, plantains, Dandelion sp., possibly Stinking Iris or a large Sedge sp., and a Dock sp. which may affect the calculations. The images are not clear, however, and clarification would be welcome. There are also trees and shrubs within the site red line and these need to be recorded as such in the Metric. Again, this may affect the calculations. BNG applies to all habitats within the submitted red line boundary, whether affected or not.

The submitted BNG information shows a 37.38% habitat unit deficit. No information is provided on how this deficit is to be addressed. Whilst the submission of a Biodiversity Gain Plan is a post-permission matter, Havant Borough Council [strongly recommends](#) that additional information is provided at the application stage to allow the Council to determine if, and how, the required BNG will be delivered – either wholly on-site, wholly off-site or a mix of both.

I would welcome clarification on the BNG elements of this submission.

In addition, there is no wider ecological assessment submitted. Does the on-site habitat have potential for supporting legally protected species such as reptile species for instance. BNG is in addition to any other requirements for ecological survey, assessment and mitigation.

NPPF, Circular 06/2005 and Natural England Standing Advice, require that planning decisions are based on full, up-to-date ecological information and it is essential that all necessary survey, assessment and mitigation information is available to the Local Planning Authority prior to determination, particularly in the case of protected sites, habitats and species, which are a material planning consideration. This will enable the Local Planning Authority to determine the application on the basis of full knowledge about the potential ecological impacts of the proposal and to

ensure that any impacts can and will be mitigated.

Hampshire Highways - Comment

In regard to application APP/25/00204, as the application is for a single dwelling, and onwards there is no required change of vehicle access onto the highway, HCC's Highway Standing Advice should be referred to in the first instance. This can be viewed via the following link under the heading Consultation with the Highway Authority - <https://www.hants.gov.uk/transport/developers/consultation>

Officer Comment: *The proposal would utilise the existing access, which is acceptable, with appropriate lines of sight.*

Norse South East, Operations Director - No Comment

Nutrient Team - No Objection

I can confirm there is sufficient capacity in the Council's strategic mitigation scheme to accommodate the application proposals.

It should be noted that there is limited capacity remaining in the Council's mitigation scheme at Warblington Farm. There is alternative mitigation available from third party providers in order to avoid and mitigate the water quality impact arising out of the proposed development. The details of other schemes have been published on the Partnership for South Hampshire's website at: <https://www.push.gov.uk/work/mitigation-schemes-available-to-developers/>.

Officer Comment: *The agent is aware of alternative mitigation available from third party providers.*

Portsmouth Water - Comment

Please find attached the plan(s) showing the approximate position of water mains at the requested location.

Service connections are not shown but it should be assumed that all premises are supplied from the water distribution network. Other connections not related to properties, such as field supplies, may also exist so we would suggest a visual/CAT scan/Ground Radar survey is undertaken prior to any hand or mechanical excavation.

Safe digging practices in accordance with HSE publication HSG47 "Avoiding Danger from Underground Services" must be used to verify and establish the actual position of the mains, pipes, services and other apparatus on site before any mechanical plant is used. This documentation is available at <http://www.hse.gov.uk/pubns/priced/hsg47.pdf>

Copies of guidance notes: Working near distribution apparatus and Guidance for working near or over a Trunk Water Main are enclosed. Please read carefully as the conditions will apply to any work you undertake in the vicinity of Portsmouth Water assets.

It is important to ensure that a copy of the above guidance is provided to those undertaking any work which may affect our apparatus.

Please note Portsmouth water has no responsibility for any underground drainage or sewerage infrastructure. Enquiries regarding these assets should be directed to the relevant authority/company.

Officer Comment: *The information from PW has been forwarded to the applicant's agent and would be an informative on the decision notice if permission is granted.*

Southern Gas Networks - stage 1

Please find an extract from our mains records for your proposed work area, any SGN assets are described in the map legend. On some occasions blank maps may be sent to you, this is due to your proposed work being in a no gas area but within our operational boundaries.

This mains record only shows the pipes owned by SGN in our role as a Licensed Gas Transporter (GT). Please note that privately owned gas pipes or pipes owned by other GTs may be present in this area and information regarding those pipes needs to be requested from the owners. If we know of any other pipes in the area we will note them on the plans as a shaded area and/or a series of x's.

The information shown on this plan is given without obligation or warranty and the accuracy cannot be guaranteed. Service pipes, valves, siphons, stub connections etc. are not shown but their presence should be anticipated. Your attention is drawn to the information and disclaimer on these plans. The information included on the plan is only valid for 28 days.

On the mains record you may see the low/medium/intermediate pressure gas main near your site. There should be no mechanical excavations taking place above or within 0.5m of a low/medium pressure system or above or within 3.0m of an intermediate pressure system. You should, where required confirm the position using hand dug trial holes.

A colour copy of these plans and the gas safety advice booklet enclosed should be passed to the senior person on site in order to prevent damage to our plant and potential direct or consequential costs to your organisation.

Safe digging practices in accordance with HSE publication HSG47 "Avoiding Danger from Underground Services" must be used to verify and establish the actual position of the mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all relevant people (direct labour or contractors) working for you on or near gas pipes.

It must be stressed that both direct and consequential damage to gas plant can be dangerous for your employees and the general public and repairs to any such damage will incur a charge to you or the organisation carrying out work on your behalf. Your works should be carried out in such a manner that we are able to gain access to our apparatus throughout the duration of your operations.

Officer Comment: *The information from SGN has been forwarded to the applicant's agent and would be an informative on the decision notice*

Waste Services Manager - No Comment

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: 21

Number of site notices: 2

Statutory advertisement: Not applicable.

Number of representations received: 1, Objection

Comment	Officer Comment
Overdevelopment contrary to policy Backland development contrary to policy Overbearing on Southbrook Road Housing – loss of private garden amenity –noise/disturbance Oversized building in scale, height, massing and size in its setting - contrary to policy Inappropriate in setting and context contrary to planning guidance Encroaches beyond established boundary Unacceptable noise generation from car parking adjacent bedrooms. Should be reduced to a 2 bed bungalow - ease pressure on access/egress and less noise on boundary	See Section 7 below.
Harm to existing trees and hedgerows, open land and its wildlife habitats Overlooking by Harbour court flats -mutual privacy loss. TPO on oak tree which overhangs garden - originally approved as land for communal garden to Harbour Court Are the trees on the boundary to remain Encroachment on Harbour Court property owners.	

7 Planning Considerations

Habitat Regulations Assessment & Appropriate Assessment

The Council, as competent authority under Regulation 63(1)(a) of the Conservation of Habitats and Species Regulations 2017 (The Habitats Regulations), has conducted a Habitats Regulations Assessment (HA) of the proposed development.

Recreational Pressure

The project being assessed would result in a net increase of dwellings within 5.6km of the Solent SPAs. In line with Policy DM24 of adopted Havant Borough Local Plan (Allocations) and the Solent Recreation Mitigation Strategy, a permanent significant effect on the Solent SPAs due to increase in recreational disturbance as a result of the new development, is likely. As such, to lawfully be permitted, the development will need to include a package of avoidance and mitigation measures.

The applicant has proposed a mitigation package based on the methodology in the Developer Contributions Guide. The scale of the proposed mitigation package would remove the likelihood of a significant effect. The applicant has entered into a legal agreement to secure the mitigation package in line with the requirements of the Habitats Regulations and Policy DM24.

Water quality

There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some designated sites. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Therefore, a significant effect on the Chichester and Langstone Harbours SPA, Solent Maritime SAC and Solent and Dorset Coast pSPA cannot be ruled out.

Natural England have produced 'Advice on achieving nutrient neutrality for new development in the Solent region'. This sets out a methodology to calculate the nutrient emissions from a development site. The applicant has used this methodology to calculate the nutrient emissions from the site. This calculation has confirmed that the site will emit a net nutrient load into European Sites. The Position Statement and Mitigation Plan for Nutrient Neutral Development sets out a mitigation package which will mitigate the impact that this development would have on the designated European Site. The applicant has entered into a legal agreement to secure the mitigation package.

Appropriate Assessment conclusion

The Habitats Regulations Assessment concluded that the avoidance and mitigation packages proposed in the Appropriate Assessment are sufficient to remove the significant effects on the Solent's European Sites which would otherwise have been likely to occur. The HRA was subject to consultation with Natural England as the appropriate nature conservation body under Regulation 63(3) who have confirmed that they agree with the findings of the assessment. The applicant has entered into a legal agreement to secure the mitigation packages.

The HRA was subject to consultation with Natural England as the appropriate nature conservation body under Regulation 63(3) who have confirmed that they agree with the findings of the assessment. The applicant has entered into a legal agreement to secure the mitigation packages and paid the contributions.

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) Impact upon the character and appearance of the area
- (iii) Impact upon residential amenity
- (iv) Biodiversity Net Gain (BNG)
- (v) Impact on Trees
- (vi) Access & Parking
- (vii) Flood Risk & Drainage
- (viii) CIL

(i) Principle of development

7.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria. The addition of one new dwelling in such a location would contribute, albeit very modestly, to the Council's overall housing requirement. The Council, at the time of writing the report, cannot demonstrate a 5-year land supply of housing, which is currently only 1.8 years.

7.3 The Council has identified that it has a finite amount of undeveloped land and environmental designations in the borough which limit opportunities for new development. Within this context, the Council's strategy for the delivery of new growth is to concentrate development within the urban areas where there are existing facilities and where new development would have the least impact on the range of highly protected designations within the Borough. To support this approach, Policy CS17 of the Havant Borough Local Plan (Core Strategy) (2011) sets out that development will be permitted that makes the most effective use of land in the borough.

7.4 Policy CS9 of the Core Strategy supports housing proposals which achieve a suitable density of development for the location, considering accessibility to public transport and proximity to employment, shops and services in addition to respecting the surrounding landscape, character and built form. The density of the proposal would be approximately 13 dwellings per hectare, which is appropriate for the location.

7.5 The adopted Local Plan policies echoes the advice in the National Planning Policy Framework (NPPF).

7.6 Paragraph 124 of the NPPF sets out that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment.

7.7 Paragraph 129 of the Framework supports development that makes efficient use of land where it considers the desirability of maintaining an area's prevailing character. Policies CS17 and CS9 together are broadly consistent with this approach.

7.8 The Framework goes further and sets out at Paragraph 130 that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning decisions avoid homes being built at low densities

and ensure that development makes optimal use of the potential of each site.

- 7.9 The principle of making more efficient use of an existing urban sustainable site is therefore supported having regard to the surrounding character and built form, albeit that the acceptability of the scheme put forward will turn on consideration of several detailed planning considerations as set out below.

(ii) Impact upon the character and appearance of the area

- 7.10 Havant Design Guide SPD acknowledges that backland developments have a role to play in delivering the Council's housing and developments. However, it is recognised that such developments may have an adverse effect on neighbouring properties and the character and quality of the existing area. The SPD states that such developments should not have an adverse impact on existing neighbouring properties and should *"...not dominate in terms of mass or height, the street or public frontage, or buildings on this frontage. It should be well designed, it should also be subservient and smaller in size, massing and scale to the frontage property."*
- 7.11 The development would be located to the rear of the site, enclosed by a number of trees (which are to be retained) and a 1.8m close boarded wooden fencing (plus an electric entrance gate) which would greatly restrict views from the public realm with the proposal subservience in scale and massing to the frontage property, which is 3 storey. The proposal is traditional in design with a pitched loggia entrance porch on the south elevation. This 4 bedroomed bungalow, would have a crown style roof, which does not include accommodation in the loft area, with a chimney on the east elevation.
- 7.12 The height of the proposal would be approximately 5.6m, with a floor area of 196 sqm.
- 7.13 Materials for the proposal would be brick walls, tiled roof, composite doors and timber windows.
- 7.14 Length of rear garden would be approximately 12.7m in depth, with a width of approximately 21 m, which would incorporate a patio to the rear and a paved area to west of the dwelling. There would be a 3m gap between the boundary and the proposal to the west, with a similar average separation distance to the boundary to the east, which has existing trees and vegetation along this boundary. There are also existing trees along the southern boundary, Category B, which are to be retained.
- 7.15 The proposal would be in keeping with the general character and appearance of the area, with backland development, previously permitted immediately to the south, in accordance with the aims of Policy CS16 of the Core Strategy and Havant's Design Guide SPD.

(iii) Impact upon residential amenity

Existing residents

- 7.16 The properties with the potential to be impacted by the development would be 15 Harbour Court, 12, 17a & 19 Langstone Road and 9 - 15 Southbrook Close.
- 7.17 The boundary treatment around the entire site is a 1.8m high close boarded wooden fence with entrance gates of the same height on the western boundary, plus trees and vegetation, around the southern, and western boundaries and part of the northern boundary, with all the accommodation within the bungalow at ground floor.

- 7.18 With regard to 12 Langstone Road the rear garden of the proposal would back onto the end of the rear garden to this property, with a separation distance of approximately 12.7 from the rear wall of the proposal. This relationship with 12 Langstone Road property and the single storey nature of the proposal would not result in a significant impact on the residential amenity of the occupiers of No. 12.
- 7.19 As to 15 Harbour Close to the west there would be a minimum separation distance of approximately 20m from the rear of this property to the flank wall of the proposal. There would be a window and door serving a utility room and a window serving a master bedroom on the western elevation of the proposal. Due to the 1.8m closed boarded fence along this boundary, these openings would not materially impact on the amenity of the occupiers of 15 Harbour Court by reason of overlooking/loss of privacy/outlook; nor would the proposal dominate 15 Harbour Close.
- 7.20 The proposal is sited in an area that under the original permission was to be a communal area for 15 Harbour Close (ie reference APP/18/00897). This has since been provided in part of the approved garden area of flat 3. The communal area would be adjacent to the application site to the east, effectively alongside the proposed garden area, which is not unusual in a residential area. The replacement communal area has been laid out with artificial grass, planters and seating, which may be viewed on the 'Proposed Rear Development' plan and the Council's GIS system. This communal area is smaller than approved (i.e. approximately 0.0060 ha as opposed to approximately 0.08 ha). As stated above, the agent has advised that the occupiers of the flats, did not want to pay the maintenance charge for such a large communal area and it is noted that no objection has been received from the occupiers of the flats to the proposal. As to a smaller communal garden area, this is a personal preference. The proposed siting of the dwelling, which is opposite garaging for 15 Harbour Court to the west, would not materially impact on the residential amenity of the users of the communal area.
- 7.21 Concerning 17a Langstone Road, part of the existing driveway to 15 Langstone Road, lies adjacent to the boundary of No. 17a, with the main garden area to this property to the south. To facilitate the development, this driveway has been extended to the front of the proposal to provide a parking and turning area for the proposal. Two sections of No. 17A lie adjacent to the boundary with the proposal to the north (ie a garage and shed), with the central part set back approximately 6m from the boundary, which provides a small courtyard area for the occupiers, which is accessed via a lounge area. There are also bedrooms windows along the eastern elevation of No. 17a. Along the southern boundary is a 1.8m close boarded fence, plus existing trees and vegetation, (part of which falls within No. 17a court yard), the former of which the agent has advised would be retained. The proposal is set back at its widest point in excess of 9m from the boundary, which is increased to approximately 15m from the lounge area off the court yard area in No. 17a. Havant's Design Guide SPD states that *"Where a dwelling faces a blank gable, 10 metres separation distance is required."* The flank wall on No. 17a has a door opening, with a separation distance of 15m between the two properties. Following discussions with the agent, the materials to the extended drive way, would be brick paviours, as opposed to shingle, to limit noise and disturbance to the neighbours, which would mainly be around vehicles entering and leaving the site and from headlights, which would be limited by the fencing and vegetation along the southern boundary. It is also proposed that a 2m acoustic fence is erected along the southern boundary, which if permission is granted would be conditioned. Therefore, due to these considerations and that the main garden area is to the south of No. 17a the proposal would not result in significant noise and disturbance to the occupiers of 17a. Also due to the single storey nature of the proposal, with its crown hipped type roof, its orientation and the existing boundary

treatment the development would not give rise to an unacceptable loss of daylight, privacy, outlook or dominate the occupiers of 17a Langstone Road.

- 7.22 In respect of 19 Langstone Road this lies to the south west of the application site with the access to No. 17a in between, with a separation distance of over 50m. Due to the separation distance and the location of the development to the north east, the proposal would not give rise to a loss of privacy, overlooking, or loss of outlook to the occupiers of this property.
- 7.23 As to 9 -15 Southbrook Close to the east, the minimum separation distance from these dwellings would be over 20m, which exceeds the 10m separation distance in Havant's Design Guide from a flank wall. As to the east flank wall on the proposal, this has two windows which would service a ground floor bathroom (obscurely glazed) and a bedroom. Due to the existing boundary treatment around all of the site, (ie 1.8m close boarded fencing/gates, coupled with trees/vegetation along the eastern boundary) and the separation distance, the window to the bedroom would not give rise to a loss of amenity to the occupiers of 9-15 Southbrook.

Proposed residents

- 7.24 The size of this 4-bed property would exceed the Government's Technical housing standards – nationally described space standard and would be built to energy efficient standards. This would include solar photovoltaic (PV) panels to generate on-site electricity, air source heat pumps, underfloor heating systems and 100% energy efficient lighting. The proposal would have a rear garden in excess of 12m in length which exceeds the minimum requirement in Havant's Design Guide SPD.
- 7.25 The proposal would have three parking spaces and a turning area to the front, to enable vehicles to enter and leave the site in a forward gear, which complies with Havant's Car Parking SPD and Policy DM13 of the Core Strategy. The proposal would benefit from an EV Charging point.
- 7.26 The proposal would provide a satisfactory level of accommodation for future occupiers, in accordance with Policy CS16 of the Core Strategy.

(iv) Impact on Ecology & Biodiversity Net Gain (BNG)

- 7.27 All development within the Borough is expected to protect, conserve and enhance the Borough's Local Ecological Network.
- 7.28 The application is accompanied by a Biodiversity Metric Calculation and following comments from the Ecologist a Preliminary Ecological Assessment, both of which were subsequently amended. Following the submission of these amended documents the Council's Ecologist has raised no objection subject to the BNG requirements being secured through condition and that the series of recommendations for ecological mitigation set out in Appendix 3 of the Preliminary Ecological Assessment are secured by condition. These two conditions are recommended if permission is granted.

(v) Impact on Trees

- 7.29 There is a TPO Group of protected trees on the western boundary fronting Langstone Road, with a TPO tree sited on the eastern boundary of the site. Trees are also located on the eastern and southern boundaries of the site. The trees to the east are Category C, with the trees on the southern boundary Category B. The application is

accompanied by a Tree Report and Tree Plan. The Council's Arboricultural Officer (AO) has been consulted over the proposal who advised that the submitted tree survey and plan, appears adequate to a degree with only G11 considered to be a constraint to development, which is a Category B Tree. However, if permission is granted a condition requiring an Arboricultural Method Statement and a Tree Protection Plan would be required. If permission is granted, this would be secured via a pre-commencement condition, which has been agreed with the agent, as have all the conditions.

(vi) Access & Parking

Access

- 7.30 The existing access to Harbour Court would be utilised, together with the existing driveway that would provide access to this property along the southern boundary. Access to the site would be via electric gates.
- 7.31 The Highway Authority has been consulted over the proposal who has advised that as the development is for a single dwelling and there is no required change of vehicle access onto the highway, HCC's Highway Standing Advice should be referred to in the first instance. The proposal would utilise the existing access, which is acceptable, with appropriate lines of sight with a turning area on site to enable vehicles to enter and leave in a forward gear. The proposal is therefore considered acceptable in highway terms.

Parking

- 7.32 To facilitate the development two car parking spaces provided for under permission APP/18/00897 in front of the entrance to the application site have been removed. These have been replaced to the front of the site for 15 Harbour Court. Therefore, there is no loss of parking for 15 Harbour Court.
- 7.33 The proposal would have three parking spaces and a turning area to the front of the application to enable vehicles to enter and leave the site in a forward gear. A cycle store and bin storage would be along the western boundary. The level of parking and cycle provision complies with Havant's Car Parking SPD and Policy DM13 of the Core Strategy. As stated above the development would benefit from an EV point.

(vii) Flood Risk & Drainage

Flood Risk

- 7.34 The proposed dwelling and access would be sited wholly within Flood Zone 1 and would remain so, on current information, with climate change. National Guidance states that Flood Zone 1 is suitable for all types of development.

Drainage

- 7.35 The foul sewage would be disposed of by an existing mains sewer. As to surface water this would be disposed of by soakaways. Foul and surface water drainage falls within the remit of Building Control

(viii) CIL

- 7.36 The CIL rates to be applied to development are set out in the Havant Borough

Community Infrastructure Levy Charging Schedule, which was adopted by the Council on the 20 February 2013. This followed two public consultation exercises and an Examination into the Charging Schedule by an independent Examiner. The Examiner's Report concluded that the Havant Borough Council Community Infrastructure Levy (CIL) Charging Schedule provided an appropriate basis for the collection of the levy in the borough. The levy is charged at £100 per square metre (plus indexing) on new floorspace (measured as gross internal area) in Hayling Island.

- 7.37 The proposal would result in new residential development which is Community Infrastructure Levy (CIL) liable and the appropriate forms have been submitted. The gross increase in new internal floor space for the dwelling has been calculated by the agent as 196 sqm, which would be £27,370. Exemption is not claimed, and a Draft Liability Notice has been served.

8 Conclusion

- 8.1 The proposal makes an efficient use of land within the urban area. An assessment of the impacts on the character and appearance of the area and on residents' amenity are considered to be acceptable. Ecology, trees and parking matters have been addressed and would be controlled by the imposition of appropriate conditions. Mitigation contributions have been secured for the Solent Recreation Mitigation Strategy and for nitrates.
- 8.2 To conclude, the development is considered to accord with the development plan when considered as a whole and the National Planning Policy Framework and conditional planning permission is recommended.

9 RECOMMENDATION:

That the Development Manager be authorised to **GRANT PERMISSION** for application APP/25/00204 subject to the following conditions

1 GENERAL

The development must be begun not later than three years beginning with the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Plans

Site & Block Plans, Elevations & Floor Plans of Dwelling - Drawing No. 01 Rev 01

Elevation & Floor Plan Cycle Store - Drawing No. 01

Retained Garden Area with Additional Two Parking Spaces - Drawing No. CA1

Documents

Design & Access Statement
Tree Report
European Site Avoidance & Mitigation Checklist
Occupancy Calculator
Nitrate Budget Calculator
Biodiversity Metric Calculator Tool
Biodiversity Metric Condition Assessment
Habitat Survey BNG
Statutory BNG Metric (Daniel Ahern Ecology, July 2025)
Preliminary Ecological Assessment, Daniel Ahern Ecology, July 2025
Flood Risk Assessment
CIL Forms 1 & 2

Reason: - To ensure provision of a satisfactory development.

- 3 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extensions or roof conversion shall be constructed within the curtilage of the site without the prior approval of the Local Planning Authority.

Reason: In the interests of the amenities of the neighbouring properties and the protection of trees having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, and the National Planning Policy Framework.

- 4 Development shall proceed in accordance with the ecological avoidance and mitigation measures detailed within the Preliminary Ecological Assessment (Daniel Ahern Ecology, July 2025).

Reason: to protect biodiversity in accordance with the Environment Act 2021, Conservation Regulations 2017, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Core Strategy March 2011

PRIOR TO COMMENCEMENT

- 5 No development shall commence until plans and particulars specifying the following matters have been submitted to and approved in writing by the Local Planning Authority:

(i) The provision to be made within the site for contractors' vehicle parking during site clearance and construction of the development;

(ii) The provision to be made within the site for a material storage compound during site clearance and construction of the development. Thereafter, throughout such site clearance and implementation of the development, the approved parking provision and storage compound shall be kept available and

used only as such.

Reason: To safeguard the amenities of the locality and in the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework. It is considered necessary for this to be a pre-commencement condition as such details need to be taken into account in the construction of the development and thus go to the heart of the planning permission.

- 6 No development shall commence until an Arboricultural Method Statement and a Tree Protection Plan have been submitted and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to development commencing and within the fenced area(s), there shall be no excavations, storage of materials or machinery, parking of vehicles or fires. The development shall be carried out strictly in accordance with the submitted details.

Reason: To safeguard the continued health and presence of such existing vegetation and trees and to protect the amenities of the locality having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework. It is considered necessary for this to be a pre-commencement condition as such details need to be taken into account in the construction of the development and thus go to the heart of the planning permission.

- 7 A Biodiversity Gain Plan shall be prepared in accordance with Statutory BNG Metric (Daniel Ahern Ecology, July 2025) and must include:

- (1) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the on-site habitat and any other habitat;
- (2) the pre-development biodiversity value of the on-site habitat;
- (3) the post-development biodiversity value of the on-site habitat;
- (4) any registered off-site biodiversity gain allocated to the development and the value of that gain in relation to the development;
- (5) any biodiversity credits purchased for the development; and
- (6) any such other matters as the Secretary of State may by regulations specify.

The development shall not commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan, has been submitted to, and approved in writing by, the local planning authority. The HMMP shall include:

- (7) a non-technical summary;
- (8) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- (9) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- (10) the management measures to maintain habitat in accordance with

the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
(11) the monitoring methodology and frequency in respect of the created or enhanced habitat.

Notice in writing shall be given to the Council when the:

- (12) HMMP has been implemented; and
- (13) habitat creation and enhancement works as set out in the HMMP have been completed.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP. Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 8 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or a full specification of the materials to be used externally on the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 9 No development shall commence until details of the ground source heat pump, together with details as to its maintenance, shall be submitted to and approved in writing by the Local Planning Authority. The approved ground source heat pump shall be installed prior to the occupation of the development and thereafter maintained in accordance with the agreed maintenance scheme.

Reason: In the interests of energy efficiency and the amenities of neighbours, having due regard to policies DM10, CS14, CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework. It is considered necessary for this to be a pre-commencement condition as such details need to be taken into account in the construction of the development and thus go to the heart of the planning permission.

10 **PRIOR TO OCCUPATION**

Prior to the occupation of the development hereby approved details of the solar panels shall be submitted to and approved in writing by the Local Planning Authority. The approved solar panels shall be installed prior to the occupation of the development.

Reason: In the interests of energy efficiency having due regard to policy CS14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National

Planning Policy Framework.

- 11 Prior to the occupation of the development, details of the acoustic fence as shown on Drawing No. 01 01 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall thereafter be retained in a wholly sound and effective condition.

Reason: To protect the amenities of the neighbouring property from noise and disturbance having due regard to Policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2021.

- 12 The car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.

Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 13 The development hereby permitted shall not be occupied until:

- (a) A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority; and
- (b) All measures necessary to meet the approved water efficiency calculation have been installed.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. In compliance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017, the local planning authority has a duty to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council has also had regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

POST OCCUPANCY

- 14 At all times following occupation of the development hereby approved, all measures for water usage within the submitted nutrient budget shall be maintained in the development in perpetuity.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. In compliance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017, the local planning authority has a duty to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council has also had regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.