

From: bst shared
Subject: FW: APP/17/00378 - L/adj to 12B Nutbourne Road, HI - application withdrawn

From: Steve Weaver
Sent: 03 August 2017 10:41
To: 'Brian Streeter'
Cc: Rachael McMurray
Subject: RE: APP/17/00378 - L/adj to 12B Nutbourne Road, HI

Dear Revd Streeter

Thank you for your prompt reply. I am able to action your request to withdraw your application – a confirmation will be sent to your agent.

We will be happy to offer further advice early in 2018 – please follow the link that Rachael has supplied you with in due course. I would also recommend that you keep the Council's Local Plan webpages under review for any updates – they can be found [here](#).

Regards

Steve Weaver
Development Manager
Planning Services
Direct Dial Telephone Number (023) 9244 6512
Havant Borough Council, Public Service Plaza, Civic Centre Road, Havant PO9 2AX

Email: steve.weaver@havant.gov.uk
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From: Brian Streeter [REDACTED]
Sent: 03 August 2017 10:22
To: Steve Weaver
Subject: RE: APP/17/00378 - L/adj to 12B Nutbourne Road, HI

Dear Steve,

We suspected that this would be the case and I had noted from the Main Document of the Draft Havant Borough Local Plan (Allocations) that the housing was not fixed between the five areas of the borough and that the area outside of Hayling's Urban Area Boundary was not classed as non-urban and therefore under national rules.

In light of this and the most probably recommendation to the committee for refusal it would seem wise to withdraw the current planning application PP/17/00378 - L/adj to 12B Nutbourne Road, Hayling Island and to follow your advice and come back to you for pre-application advice in 2018.

Therefore, could you withdraw or application? Or is there some process that I need to go through or person to contact? Many thanks in advance.

Kind regards,

Revd. Brian Streeter.

From: Steve Weaver [<mailto:Steve.Weaver@havant.gov.uk>]
Sent: 03 August 2017 09:59
To: 'Brian Streeter' [REDACTED]
Cc: Rachael McMurray <Rachael.McMurray@havant.gov.uk>
Subject: RE: APP/17/00378 - L/adj to 12B Nutbourne Road, HI
Importance: High

Dear Revd Streeter

Thank you for your email.

I note the comments you make in regard to the Council's housing supply situation. Currently my colleagues in the Planning Policy team are working hard at bringing forward the new Local Plan for consideration by the Council's Cabinet by the end of the year. Whilst I do not have an updated 5 year housing supply figure to compare with that considered by the Inspector in the West Street appeal earlier this year, our expectation is that the new Local Plan will be able to meet the housing needs of the Borough without having to rely on sites with flood risk issues.

I think it important to note that in terms of housing requirements across the Borough, we do not subdivide the requirements by area – so the housing requirements are those for the Borough as a whole rather than for Hayling vs the rest of the Borough. Part of the work underway is looking at the capacity of Hayling to accommodate additional development in light of its infrastructure constraints.

In terms of your reference to the case of 117 Elm Grove and the role of Local Plan policies restricting the supply of housing, this was a specific case considering the loss of a former public house and was not affected by flood risk issues. Furthermore the issue

of flood risk is highlighted in the NPPF and thus is a national, not just a Local Plan policy.

So in the context that the Council is swiftly progressing its Local Plan to deal with its 5 year housing supply requirements and that the NPPF highlights the significance of flood risk as factor weighing against residential development in Flood Zones 2 and 3, I do not consider that there is any short term solution to the 'in-principle' issue of flood risk which is weighing against your application. In the circumstances I would suggest that should you not wish to receive a refusal, you should withdraw the current application, and perhaps come back to us for pre-application advice early in 2018 to see how the Local Plan situation is playing out in practice?

Alternatively, should you wish us to proceed to a refusal, this will be issued today. I note that Rachael has raised with you the SPA contribution and will liaise with her early this afternoon to establish whether this matter has been addressed before the decision is issued.

I would be grateful if you could let me know how you wish to proceed by return.

Regards

Steve Weaver
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From: Brian Streeter [<mailto:> [REDACTED]]
Sent: 03 August 2017 08:56
To: Steve Weaver
Subject: RE: APP/17/00378 - L/adj to 12B Nutbourne Road, HI

Dear Steve,

As Rachael McMurray has made you aware we are considering whether to proceed with our planning application APP/17/00378 – L/adj 12B Nutbourne Road, Hayling Island or whether to withdraw.

We have looked into the NPPF and realise that housing should be developed with preference to flood zone 1 where possible, and therefore understand the grounds that are being made for the refusal. We were unaware of the pre-application advice service which would have undoubtedly highlighted this problem, and unfortunately our agent Chris Rushton (a local architect and friend) did not bring this to our attention.

However, in the appeal decision example sent by Rachael (Appeal ref: APP/X1735/W/16/3155488 – Land to the rear of 178a West Street, Havant, PO9 1LR) section 8, Reasons, Flood risk, the Inspector does note that the council is unable to demonstrate a five year supply of housing, but that the current supply is 4.7 and therefore a modest shortfall.

In addition, from the Development Management Committee meeting minutes from 20 October 2016, looking at planning application APP/16/00568 - 117 Elm Grove, Hayling Island, PO11 9ED, in response to questions raised by the committee, the officers advised that “The lack of a 5 year housing land supply meant that Local Plan policies restricting the supply of housing land, such as Policy DM2, were deemed out of date and should not be regarded as a determining factor in the outcome of the application. Thus the lack of marketing of the site as a community asset, as normally required by Policy DM2, could not form a sustainable reason for refusal”

Would it be possible to have some idea of whether the current five year plan to 2017 has been met or will meet its target for Hayling Island? And more importantly whether, looking to 2026, the following five year targets are likely to be reached? It may be that we will withdraw the planning application and wait until the planning officers may need to look to develop in flood zone 2. I hope I am making sense?

The plot of land is next to 12B Nutbourne road (formerly a caravan site surrounding our plot) and next to the electricity substation. The plot lies well within the Urban Area Boundary for Hayling Island, and if anything has always been an eyesore on the road as it has become regularly overgrown and we have to clear it. The plot is just inside the flood zone 2 for that part of Hayling, and from our FRA, flooding is low risk and historically at most the road has flooded but not above the kerb.

We are more than happy to work with our agent and the planners to ensure that overdevelopment concerns are met (Chris has already suggested several alternatives to Rachael) and of course we will pay the SPA fee unless we decide to withdraw.

However, if the five year housing quota will be met and the planning application is likely to be refused then we will withdraw, but it would be useful to know whether it is worth re-applying in the future.

Many thanks for your patience with this long email!

Kind regards,

Revd. Brian Streteer.



From: Rachael McMurray [<mailto:Rachael.McMurray@havant.gov.uk>]

Sent: 02 August 2017 16:32

To: 'Brian Streeter' <[REDACTED]>

Subject: RE: APP/17/00378 - L/adj to 12B Nutbourne Road, HI

Dear Brian

We do offer a pre-application advice service - <http://www.havant.gov.uk/do-i-need-planning-permission-getting-pre-application-advice/pre-application-advice-service>. This would have flagged up this and any other issues with the proposal prior to the submission of an application.

I have discussed the application with my line manager, Steve Weaver who is aware of the reasons for refusal. You can of course contact him if you wish to speak to him whilst I am away. His email is steve.weaver@havant.gov.uk

A recent appeal decision for a site in Havant which included an access in FZ2 and 3 to new dwellings provides some guidance as to how the housing supply / flood issue is considered by the Planning Inspectorate. I have attached this for your information. It is of course a different site and level of development but may provide useful background.

Kind regards

Rachael McMurray
Principal Planner
Development Management

Direct Dial: 023 9244 6546

Email Address: Rachael.mcmurray@havant.gov.uk

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From: Brian Streeter [[mailto:s\[REDACTED\]](mailto:s[REDACTED])]
Sent: 02 August 2017 16:15
To: Rachael McMurray
Subject: RE: APP/17/00378 - L/adj to 12B Nutbourne Road, HI

Hi Rachael,

My wife has been back to me again, and in light of the deadline and that you will be away, would it be possible to have the contact details for your boss or someone equivalent.

It does seem strange that we have been asked for several other reports (at great cost of course) when evidentially there is a blanket refusal due to flooding risk, and we were only made aware of this very close to the deadline. We realise that you will be busy before your break but if such a blanket ban were in place then surely planners, principal or otherwise, should have been aware of this?

Other than the flooding, our agent Chris is more than happy to work with you about the amenity concern.

Kind regards,

Revd. Brian Streeter.

From: Brian Streeter [REDACTED]
Sent: 02 August 2017 15:04
To: 'Rachael McMurray' <Rachael.McMurray@havant.gov.uk>
Subject: RE: APP/17/00378 - L/adj to 12B Nutbourne Road, HI

Hi Rachael,

Many thanks for getting back. We will put the date in the diary.

Kind regards,

Revd. Brian Streeter.

From: Rachael McMurray [<mailto:Rachael.McMurray@havant.gov.uk>]
Sent: 02 August 2017 14:54
To: 'Brian Streeter' [REDACTED]
Subject: RE: APP/17/00378 - L/adj to 12B Nutbourne Road, HI

Dear Brian

I do not work in the office on Fridays and am on leave after today until 14th August, however I would be happy to discuss this further with you on my return.

Kind regards

Rachael McMurray
Principal Planner
Development Management

Direct Dial: 023 9244 6546

Email Address: Rachael.mcmurray@havant.gov.uk

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From: Brian Streeter [REDACTED]
Sent: 02 August 2017 14:18
To: Rachael McMurray
Subject: RE: APP/17/00378 - L/adj to 12B Nutbourne Road, HI

Hi Rachael,

I was a little confused by the email you sent to Chris regarding the flooding as it seems there isn't sufficient housing stock for the 5-year plan but the council hopes there will be? I probably misunderstood, however, I'm sure Anne will be able to explain it.

Could we book a time for a telephone conversation for this Friday? I assume we call on the direct line below? Many thanks.

Kind regards,

Revd. Brian Streeter.

From: Rachael McMurray [<mailto:Rachael.McMurray@havant.gov.uk>]

Sent: 02 August 2017 13:51

To: 'Brian Streeter' [REDACTED] ELIZABETH MAYO'

[REDACTED] 'Chris Rushton' <[REDACTED]>

Subject: FW: APP/17/00378 - L/adj to 12B Nutbourne Road, HI

Dear Brian

My apologies, I forgot to explain the issue with flood risk to you in my last email. Apologies for this oversight - I am trying to do too many things at once today. I explained to Chris about the flood risk issue in the attached email. Obviously this affects the principal of development on the site so my previous statement is incorrect in that some form of development can be achieved on this site, due to this fundamental issue.

Kind regards

Rachael McMurray
Principal Planner
Development Management

Direct Dial: 023 9244 6546

Email Address: Rachael.mcmurray@havant.gov.uk

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From: Rachael McMurray
Sent: 02 August 2017 13:38
To: 'Brian Streeter'; 'Chris Rushton'
Cc: 'ELIZABETH MAYO'
Subject: RE: APP/17/00378 - L/adj to 12B Nutbourne Road, HI

Dear Brian.

Thank you for your email.

There is a need for housing across the Borough as the Council does currently not meet its 5year housing supply (although it is close and making an active attempt through an adopted housing statement to bring forward housing sites). The Havant Borough Local Plan does have a presumption in favour of sustainable development in line with the NPPF, unless any harm caused by the proposal would outweigh the benefits and need for housing.

The reasons for refusing this application mainly relate to the overdevelopment on this particular plot, rather than the principal of any development on it. The dwelling footprint leaves very little room for adequate amenity space for a 2no bedroom dwelling and only one parking space is being provided for a 2no. bedroom house which requires 2no. spaces to meet the adopted parking standards. The Havant Borough Design Guide for new dwellings and extensions advise that new dwellings in the urban area should aim for a rear garden depth of 10m. I appreciate that this is not possible with this plot however, a 2.5m rear garden would not be acceptable. The average depth for surrounding properties is 5-6m. The lack of garden and parking results in an overdevelopment of the plot which is considered harmful to the character of the local area. This harm outweighs the need for housing and in the view of the Planning Authority, does not constitute a form of sustainable development.

I am of the view that the site may be able to support a form of residential development, but not on the currently proposed footprint.

I hope that is of use however, please contact me if you require any further information. I have attached the relevant form for the SPA contribution which needs to be signed and scanned and returned. The payment cannot be made by BACS but you can pay over the phone, quoting the application reference number (APP/17/00378) and stating the

amount (£210) and that is for a contribution towards the SPA. If you are able to do this by tomorrow, then I can miss this off as a reason for refusal.

Many thanks

Kind regards

Rachael McMurray
Principal Planner
Development Management

Direct Dial: 023 9244 6546

Email Address: Rachael.mcmurray@havant.gov.uk

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From: Brian Streeter [<mailto:> [REDACTED]]
Sent: 02 August 2017 12:53
To: Rachael McMurray; 'Chris Rushton'
Cc: 'ELIZABETH MAYO'
Subject: RE: APP/17/00378 - L/adj to 12B Nutbourne Road, HI

Hi Rachael,

Apologies, I thought it may be easier to reply directly as my wife, Anne, has been in contact and wanted me to convey some questions. As a vicar (but born and brought up on Hayling Island) I am not very au fait with planning matters so it may be easier to copy in her email than for me to try and explain and probably get the question(s) wrong.

“Can you ask what will be the planning grounds for refusal and also ask whether it would be helpful for me to have a conversation with the planner first as I would like to understand them on the basis that there is a presumption in favour of development if a proposed development is in accordance with the Local Plan. As there is a need for housing on Hayling Island, land targets to be met and preference for infill sites with no highway issues, I would like to understand how it does not fit in with the Local Plan. In respect of valid objections, as there is a camper van permanently sited on one side of proposed development and an electricity sub station on the other, I am struggling to understand the material considerations for rejecting this application.

I understand that the Planning Authority may take into account the impact on the amenity or local environment but this should only be a ground for refusal if it would cause demonstrable harm and cannot be overcome by conditions alleviating the objection concerned. As far as I understand the position there is no objection on grounds of overlooking/loss of sunlight/loss of visual amenity. I can have a conversation with her on Friday when I am not at work”

If you have any questions then please do get back to Chris or myself. We would be more than happy to pay the contribution towards the Special Protection Area, but I think my wife would like to know what the grounds for refusal are first, or think that is what she said!

Kind regards,

Revd. Brian Streeter.

From: Rachael McMurray [<mailto:Rachael.McMurray@havant.gov.uk>]

Sent: 02 August 2017 11:19

To: 'Chris Rushton' [REDACTED]

Cc: Brian Streeter <[REDACTED]>

Subject: RE: APP/17/00378 - L/adj to 12B Nutbourne Road, HI

Hi Chris,

All understood. Just one thing which I did not raise during the application as it was moving towards a refusal, which is the requirement for a contribution to be paid towards the Special protection Area which is covered by Policy DM24 of the Local Plan (Allocations). The contribution amount for one dwelling is £210. Normally when this is not paid, a reason for refusal is added to the decision notice.

As you have advised you are likely to appeal, did you wish to pay this contribution up front before the application is determined? If not, other appellants have paid this during

the appeal process whereby the Council confirm to the Inspectorate that reason for refusal has been addressed.

Kind regards

Rachael McMurray
Principal Planner
Development Management

Direct Dial: 023 9244 6546

Email Address: Rachael.mcmurray@havant.gov.uk

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From: Chris Rushton [<mailto:chris@lakesarchitect.co.uk>]
Sent: 02 August 2017 10:44
To: Rachael McMurray
Cc: Brian Streeter
Subject: APP/17/00378 - L/adj to 12B Nutbourne Road, HI

Dear Rachael

Following the email from both myself and my Client, Brian Streeter I wish to confirm :

1. Replace submitted drawings 1703.01 rev B and 1703.02 rev A

with the previously sent drawing numbers 1703.01 rev C and 1703.02 rev B on Friday 28th July 2017.

2. Application APP/17/00378 - L/adj to 12B Nutbourne Road, HI is not being with drawn.

3. If your decision is the refuse the application please make sure it is refused on the instructed current drawings which are
1703.01 rev C and 1703.02 rev B

Kind regards

Chris

Chris Rushton BA Dip Arch RIBA
Lakes Architect Windermere
11 Church Street Windermere LA23 1AQ



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