

DELEGATED OFFICER REPORT

PROPOSAL	Outline application for construction of a single storey two bed dwelling to the west garden area with a new access from St Catherines Road to become 14A St Catherines Road.
LOCATION:	14 St Catherines Road, Hayling Island, PO11 0HE
REFERENCE NO:	APP/25/00185
APPLICANT:	Mr Capaldi-Tallon
APPLICATION TYPE:	Outline planning permission: Some matters reserved
CONSULTATION EXPIRY DATE:	02/10/2025
APPLICATION EXPIRY DATE:	26/05/2025
WARD:	Hayling West
SUMMARY RECOMMENDATION:	REFUSE CONSENT

1. Site Description

This application site comprises the rear garden of no 14 St Catherines Road which is a two storey, detached dwellinghouse located on the north side of St Catherines Road. The rear garden of no 14 backs on to rear gardens of properties along Park Road to the north of the site. Towards the rear of the application site the height of the land is increased in height, with the remainder of the garden being generally level. There is an existing outbuilding / music room where the proposal site is located.

There are a number of trees within and surrounding the site with foliage offering screening along the rear boundary. There's also a run of mature hedging and trees forming the front boundary of the site, with a grass verge bordering the edge of the site and the highway.

The area is residential in character, with properties generally set back from the road and located within spacious plots. The site is surrounded by residential dwellings.

2. Planning History

Is there any planning history relevant to the current application?

APP/17/00514 Single storey front and rear extensions.

3. Proposal

Outline application for construction of a single storey two bed dwelling to the west garden area with a new access from St Catherines Road to become 14A St Catherines Road.

Approval is sought for the access, layout and scale of the proposed development.

4. Policy Considerations

In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the Planning Considerations section of the report.

Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016
Chichester Harbour Management Plan 2024-2025

Havant Borough Local Plan (Core Strategy) March 2011

CS15 (Flood and Coastal Erosion)
CS16 (High Quality Design)
CS17 (Concentration and Distribution of Development within the Urban Areas)
CS21 (Developer Requirements)
CS9 (Housing)
CS11 (Protecting and Enhancing the Special Environment and Heritage of Havant Borough)

DM8 Conservation, Protection and Enhancement of Existing Natural Features
DM10 - Pollution
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)

Listed Building Grade: NA
Conservation Area: NA

5. Statutory and Non Statutory Consultations

Developer Services, Southern Water – No Objection

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Proposed Soakaways

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development. No new soakaways should be located within 5 metres of a public or adoptable gravity sewer, rising main or water main. No Soakaways should be connected to the public surface water sewer. Connection to Public Sewer Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer. To make an application visit Southern Water's Get Connected service:

<https://developerservices.southernwater.co.uk> and please read our New Connections Charging Arrangements documents which are available on our website via the following link: <https://www.southernwater.co.uk/developing-building/connection-charging-arrangements>

We request that should this planning application receive planning approval, the following informative is attached to the consent: Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water

Case officer comment : Soakaways would be looked at in further detail under a Building Regs application

Hampshire Highways – No Objection

In regard to application APP/25/00185, having reviewed the information contained within the application pack, there would be no objection to the proposals subject to the conditions outlined below being applied.

Access:

It is proposed to enable vehicle access via a vehicle crossover taken from St Catherines Road, and this is acceptable with adequate visibility achievable onto the highway, given the wide grass verge which separates the site and St Catherines Road. Applicants should however be made aware that subsequent to any permission that may be forthcoming from HBC as Local Planning Authority, a secondary permission will be required from HCC as Local Highway Authority to undertake the vehicle crossover works. Details of this process can be found via the following web address -

<https://www.hants.gov.uk/transport/parking/droppedkerbs>

Internal Site Layout:

The internal site layout is acceptable, with a private driveway leading to the proposed dwelling. Serving a single dwelling, the access width is acceptable, but the widened passing point just inside the access is welcomed as it will enable the passing of internal vehicles on-site should this occur, rather than result in a vehicle waiting on the highway which could be obstructive.

Further up the driveway, a parking area is provided, capable of holding at least 2 vehicles whilst also retaining a turning head which will enable forward gear access and egress. Whilst no bin collection point is noted on plans, the passing place close to the vehicle access point on site would be suitable for such a purpose.

CONDITIONS:

1. ACCESS CONSTRUCTION PROVISION No development shall start on site until the access, including the footway and/or verge crossing shall be constructed in accordance with the approved plans. Reason - To provide satisfactory access and in the interests of highway safety.

2. CONSTRUCTION SITE MANAGEMENT PLAN REQUIRED No development shall start on site until a construction site management plan has been submitted to and approved in writing by the Planning Authority, which shall include: (a) A programme of and phasing of demolition (if any) and construction work; (b) The

provision of long term facilities for contractor parking; (c) The arrangements for deliveries associated with all construction works; (d) Access and egress for plant and machinery; (e) Protection of pedestrian routes during construction; (f) Location of temporary site buildings, compounds, construction material, and plant storage areas; (g) Details of the methodology for ensuring dirt is not transferred onto the highway from the site (i.e. wheel washers), and onwards mitigation should this fail, such as the employment of mechanical road sweepers, and the subsequent refresh of street lining (as and when required) should this be damaged during the process. Demolition and construction work shall only take place in accordance with the approved method statement. Reason - In order that the Planning Authority can properly consider the effect of the works on the amenity of the locality.

Arboriculturalist, Tree Team – Objection

We would need a TPP that has been prepared by an Arboriculturist- what has been submitted doesn't meet and comply with BS5837 (2012).

I raise objection to this application based on lack of Arboricultural information.

Nutrient Team

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/>.

Natural England – No Objection

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

Natural England considers that without appropriate mitigation the application would have an adverse effect on the integrity of European designated sites. Your authority has measures in place to manage potential impacts through contributions to an agreed strategic solution(s) which we consider to be ecologically sound. Natural England is of the view that if these measures, including contributions to them, are implemented, they will be effective and reliable in preventing harmful effects on the Habitats Site(s) for the duration of the proposed development. Mitigation measure(s) to offset any positive nutrient budget should be provided within the relevant catchment area(s). We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures. A lack of objection does not mean that there are no significant environmental impacts. Natural England advises that all environmental impacts and opportunities are fully considered, and relevant local bodies are consulted. Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out below.

Case officer comment: Please see consultee response letter for further advice.

Ecology – No Objection

The application is accompanied by an amended Biodiversity Net Gain Small Sites Metric (Gosport Surveying Associates Limited, 30 June 2025). The applicant will need to provide an updated site baseline plan. The previous BNG Metric discrepancies have been addressed, and the submitted metric concludes that there will be an overall loss of 0.0750 habitat units (low distinctiveness), equating to a -11.53% habitat unit deficit. Hedgerow loss will occur, although proposed hedgerow enhancements will result in a 13.94% gain in hedgerow units.

As BNG is largely a post-permission matter, the fact of a deficit at application stage is acceptable. The submitted Biodiversity Gain Plan states in section 4.3 that they are 'not using BNG habitat creation enhancements or off-site purchases in any other scheme' and at 4.4. that they will use 'offsite units from BNGx'. BNGx is an online BNG unit broker. The use of an off-site BNG unit provider (a habitat bank) is fine, and full details of any units purchased and attributed solely to this development will be required within a post-permission Biodiversity Gain Plan. In summary, the amended calculations presented in the BNG Metric are now satisfactory. 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 the Biodiversity Net Gain Small Sites Metric (Gosport Surveying Associates Limited, 30 June 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. If you have any queries, please don't hesitate to contact me.

6. **Publicity and Community Involvement**

This application was publicised in accordance with the Council's Local Code of Corporate Governance and the Statement of Community Involvement.

Publicity Type	Publicity Details	Start Date	End Date	Reasons
Site notice		14.04.2025	<u>8.05.2025</u>	Wider interest

Neighbouring properties consulted (as defined by the Statement of Community Involvement)

Number consulted: 9

A development of this kind, creating a separate dwelling, on St Catherine's is not in keeping with the residential area. It will bring increased noise and pollution, both from its future occupants and cars into what is essentially the quiet back gardens of surrounding properties. The existing house has already been substantially expanded and there is no need for further accommodation to be built on the land. Although the proposed house will be single storey, under the latest planning laws it is highly likely that future applications will be made to expand this into a two storey dwelling. This will lead to neighbouring gardens being overlooked and increased noise, pollution and smells. If the development is granted permission please can it be relocated to the front of the existing property, thereby ensuring that any noise, smells and pollution from cars is located near the roadway of St Catherine's (in keeping with all the other houses on that road) and not into the back gardens of the surrounding houses.

[Redacted] We are therefore very against the plans to have a new building so close [Redacted] we will lose our Privacy.

Shoe horn another dwelling onto the land does not fit with status of properties in St Catherine's Rd. It does nothing for the road or area except generate money for the owner. Might as well stick a caravan there.

Case officer comment : Comments have been noted- please see 'Planning Considerations' section of the report.

Material planning considerations are addressed in Section 7.

7 **Planning Considerations**

- (i) Principle of development
- (ii) Access
- (iii) Impact on the character of the area including layout and scale

- (iv) Impact on the amenity of future occupiers
- (v) Impact on neighbour amenity
- (vi) Parking, bin and cycle storage
- (vii) Ecology
- (viii) Trees
- (ix) Flood risk
- (x) Compliance with Habitats Regulations

(i) Principle of development

7.1 The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria. The Council's Five-Year Housing Land Supply, updated December 2024, indicates the Borough's housing land supply position as 1.8 years with a 20% buffer applied. This shortfall engages Paragraph 11d) of the NPPF with its presumption in favour of granting permission unless there are any adverse impacts that would significantly and demonstrably outweigh the benefits when assessed against policies in the framework taken as whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places etc. It is accepted that the proposal would result in a net gain of 1 residential unit however this contribution to the housing supply would be inherently limited.

7.2 Current policies AL2 and CS17 direct development towards the built up urban areas, and encourage making the most effective use of land; and policy CS9 supports housing that achieves a suitable density that respects the surrounding landscape, character and built form. Policy CS15 directs development to areas at least risk of flooding and requires development to be safe from flooding, whilst Policy CS16 seeks High Quality Design that respects its local context. These policies align with National Planning Policy Framework (NPPF) and should therefore be afforded weight in the determination of the application, as detailed below.

7.3 Because Paragraph 11 d of the NPPF is engaged it is necessary to consider the tilted planning balance towards granting permission for sustainable development unless the adverse impacts of doing so significantly and demonstrably outweigh the benefits.

7.4 In this case it is considered that the identified benefits of 1 dwelling towards the housing supply, temporary economic benefits during construction and limited social benefits to the community, should only be afforded modest weight.

(ii) Access

7.5 It is noted that the considerations for this outline application comprise of access, layout and scale. The proposed access to the dwelling would be down the south western side of the site, with a new entrance created at the western corner of the site and the access road would have a maximum width of approximately 6.6 metres and a minimum width of 4 metres approximately. The access road would continue for approximately 56 metres whereby a turning area would be created alongside two parking spaces adjacent to the entrance to the site of the proposed new dwelling. Highways have been consulted in regard to the proposed access and have stated that visibility on to St Catherines Road would be adequate and the access plan in general is considered to be satisfactory subject to conditions that the access

is constructed in accordance with the approved plans and that a Construction Site Management Plan be provided prior to commencement.

(iii) Impact on the character of the area including layout and scale

7.6 The entire rear of the application site is proposed for the new dwelling with the land to the north and east of the access driveway allocated for the development. The dwelling would be single storey with a net floor area of 99.5m². It would have split heights with a large area of glazing to the west and east elevations.

7.7 The dwelling would be rectangular in shape and would feature an open plan living area with two bedrooms and one bathroom. At 12.2 metres width and 8.1 metres depth, in terms of scale the proposed dwelling is considered to be generally modest within the context of the host dwelling, no 14 and the plot size.

7.8 This backland development proposal is considered to be at odds with the surrounding pattern of development along St Catherines Road which comprises of larger detached properties which sit within spacious plots, rather than a small constrained plot. They have a traditional plot layout with a large rear garden set behind the main dwelling. Whilst it is noted that there is an example of one backland development further along St Catherines Road, the impact of this is considered to be different due to the layout of the properties within the plot. This particular site relates to 21B St Catherines Road, however there is a larger degree of separation between the host dwelling and the proposed dwelling in this instance, allowing for a larger sense of space surrounding both dwellings. No 6 St Catherines Way has also been developed, with the plot split in half however this plot is of a wider shape than that at no 14 and allows space for development to the side without harmfully infringing on the amenity space available to the host dwelling.

7.9 No 14 St Catherines Road is generally set further back within the plot than surrounding properties, with a larger area of garden area located between the property and the highway. . Therefore, the relationship between no 14 and the proposed dwelling would be much more cramped towards the rear of the plot, which again is considered to be at odds with the spacious character of the area. This would be contrary to the Havant Borough Design Guide which states the following in relation to backland development 'Development of backland and infill sites should not have an adverse effect on neighbouring properties, should maintain and enhance the existing character and quality of an existing area and should create pleasant and attractive places to live'. Paragraph 5.27 also states that '5.27 Tandem backland development is created where new dwelling is placed immediately behind an existing dwelling, on sites that occupy smaller sized plots or share the same access. Due to the problems of overlooking, noise and traffic disturbance, loss of amenity, cramping and the adverse impact on local character, successful tandem schemes are difficult to deliver successfully. Exceptionally, on very large plots, it may be possible to achieve sufficient separation between dwellings and between the host dwelling and access road to overcome these problems. In general, tandem backland developments will only be permitted provided that the amenities of the surrounding dwelling, together with the 'host' dwelling can be safeguarded, there is no possibility of a more comprehensive scheme and the design of the tandem property is subservient to the host.'. This proposal is therefore considered to be contrary to the Havant Borough Design Guide.

7.10 Paragraph 128 d) of the NPPF notes that planning decisions should maintain "an area's prevailing character and setting (including residential gardens)" and the NPPF also promotes well-designed and beautiful places, and encourages developments that are sympathetic to local character. Paragraph 135 of the NPPF in particular highlights this desire for

developments to be ..."visually attractive as a result of good architecture, layout and appropriate and effective landscaping" and ..."sympathetic to local character and history, including the surrounding built environment and landscape setting...". It is considered that the proposed back land layout and impacts on landscape setting would not respect the prevailing character of the area and would be contrary to the aims of the NPPF to achieve well designed places to live.

7.11 Policy CS16 requires new development to respect local context and specifically at 1.c) requires the characteristics of the locality, including heights, building lines, plot widths and depths, to inform design and this proposal is therefore considered to be contrary to Policy CS16.

(iv) Impact on the amenity of future occupiers

7.12 Whilst this application is for outline consent relating to the access, layout and scale of the development, some consideration can still be given to the quality of the residential environment for future occupants. When consulting the Nationally Described Space Standards (NDSS) a minimum gross internal floor area including storage would amount to 70m² for a two bedroom property which has been met at 99.5m². The Havant Borough Design Guide states that garden length should allow for 10 metres between the dwelling and the boundary and, given that the dwelling is located in the centre of the plot, this is considered to have been met as the garden would have a 10 metre width.

7.13 Whilst the use of the site would be intensified with the addition of the new dwelling and partitioning of the plot would reduce the amenity space available to the host dwelling , it is considered that there would be acceptable space available to the main dwelling in the remaining space to the rear, side and front of the house . With boundary treatments erected around the proposal site, no harmful views are considered to result from the new dwelling noting the siting of these would be at ground floor level. No unacceptable harm to the host dwelling has therefore been identified as a result of this proposal.

(v) Impact on neighbour amenity

7.14 Although approval of the appearance is a reserved matter, the indicative design has been reviewed regarding its potential impact on neighbouring amenity.

The submitted design shows a large amount of glazing to the west and east elevations , however it is noted that the proposed dwelling would only have one floor level and therefore some of this glazing would provide light to the amenity areas but not views into neighbouring dwellings . It is noted that this could offer a perception of overlooking however actual overlooking is considered to be limited . That said, the appearance of the dwelling is subject to reserved matters. As such the location of windows would be considered at that time, if outline permission was granted.

7.15 The distance between the rear of the dwelling and the rear elevations of the properties to the north along Park Lane would be approximately 25 metres and as the proposed dwelling would be located at single storey height then this proposal is not considered to be contrary to the guidance stipulated in the Havant Borough Design Guide. The building would be located away from surrounding properties and potential overbearing impact at this time is deemed to be limited .It is understood that the ground would be made level to match the

existing garden, with the raised area removed so that the ground level would not be significantly higher than that of the properties to the rear.

(vi) Parking, bin and cycle storage

7.16 Two parking spaces are proposed to serve the dwelling which would meet the parking standards requirements in terms of their size and number . No details have been provided in regards to bin and cycle storage, which could be conditioned if permission is granted.

(vii) Ecology

7.17 The application is accompanied by a Biodiversity Net Gain (BNG) Metric which has been updated during the course of determining this application. The submitted metric concludes that there will be an overall loss of 0.0750 habitat units (low distinctiveness), equating to a -11.53% habitat unit deficit. Hedgerow loss will occur, although proposed hedgerow enhancements will result in a 13.94% gain in hedgerow units.

7.18 The BNG must be secured through planning conditions requiring submission of a Biodiversity Gain Plan prior to commencement as stipulated in the Ecology response. These conditions can be applied to make the proposal comply with the BNG legislation and policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework, if permission is granted.

(viii) Trees

7.19 There are several mature trees within the site . A TPO Oak tree is also sited to the east of the proposed access driveway , in the proposed garden of no 14. There is a mixture of deciduous, oak trees, Chestnut Trees and a Cherry Tree . The Design and Access Statement states that all trees are to be retained on site however many of these trees would be sited within very close proximity of areas to be developed , with the access road sited less than 1 metre from the TPO Oak and 5 of the trees along the western boundary . Havant's Arboricultural Officer has been consulted on this proposal and has requested Tree Protection Plans prepared by a suitably qualified person . These plans have not been forthcoming and therefore the plans submitted do not meet BS5837 (2012) standards and therefore Havant's Arboricultural Officer has been unable to assess the impact of the proposal on the trees and has raised an objection in this regard.

Therefore, in the absence of full Arboricultural information it has not been adequately demonstrated that there would not be any harm to the trees on the site, contrary to paragraphs 136, 180 and 186 c) of the NPPF and adopted policies CS11 and DM8 of the Core Strategy.

(ix) Flood risk

7.20 The site is not located within a flood zone nor is it located within a future flood risk area.

(x) Compliance with Habitats Regulations

7.21 In order to comply with Regulation 63 of The Conservation of Habitats and Species Regulations 2017 (as amended), the application requires a Habitats Regulations Assessment (HRA), including Appropriate Assessment (AA) as the proposal is likely to have a significant effect on several Solent European Sites due to both the increase in recreation

and the decrease in water quality that would result from the proposed development of one new residential unit.

7.22 The LPA operates two packages of avoidance and mitigation measures. The first is a package of measures based on the suggested scale of mitigation in the Solent Recreation Mitigation Strategy. The second is a package of measures based on the Position Statement on Nutrient Neutral Development. The applicant has submitted a European Site Avoidance and Mitigation Checklist, Havant Occupancy Calculator and Solent Nitrogen Budget. The applicant has entered into a legal agreement to secure the mitigation, with a sum of £3,362.35 received.

8 Conclusion

8.1 The proposal results in a development that would appear out of character with the area due to the cramped setting of the proposed dwelling which would erode the spatial character of the area. The social and economic benefits from boosting housing delivery would not significantly outweigh the environmental harm identified above. The proposal is also considered to have the potential to result in the loss or harm to on site trees and therefore this proposal is deemed contrary to policies CS16, CS11 and DM8 of the Core Strategy and the National Planning Policy Framework.

9. RECOMMENDATION:

That the Development Manager be authorised to REFUSE consent for application APP/25/00185

Reasons:

The cramped appearance of the site would depart and be harmful to the character and appearance of the area. The proposal would be at odds with the prevailing pattern of development and would therefore result in harm to the character of the area . As such the development would be contrary to policy CS16 of the Havant Local Plan, Havant Borough Design Guide and the guidance contained within the National Planning Policy Framework 2024.

The indicative layout and siting of the proposed development would be likely to result in the loss of, or harm to mature trees on the site which are important for landscape amenity and biodiversity value, for which no supporting Arboricultural information has been submitted. In the absence of full Arboricultural information it has not been adequately demonstrated that there would be no harm to the trees on the site, contrary to paragraphs 136, 180 and 186 c) of the National Planning Policy Framework and adopted policies CS11 and DM8 of the Core Strategy.

Informatives :

In accordance with paragraphs 38-50 of the NPPF Havant Borough Council (HBC) takes a positive and proactive approach and works with applicants/agents on development proposals in a manner focused on solutions by:

Offering a pre-application advice service, and

Updating you of any issues that may arise in the processing of your application and where possible suggesting solutions, and,

In this instance:

You sought and were provided with pre-application advice,

You were updated about issues after the initial site visit,

Your application is considered unacceptable for the reasons set out in this Decision Notice.