

DELEGATED OFFICER REPORT

PROPOSAL	Change of use of existing store to residential and its extension to create a one bedroom flat.
LOCATION:	Norfolk Mews, Sea Front, Hayling Island
REFERENCE NO:	APP/25/00572
APPLICANT:	Mr Sands
APPLICATION TYPE:	Full planning permission
CONSULTATION EXPIRY DATE:	14/10/2025
APPLICATION EXPIRY DATE:	23/09/2025
WARD:	Hayling West
SUMMARY RECOMMENDATION:	That had an appeal not been lodged, the Local Planning Authority would have been minded to REFUSE PLANNING PERMISSION

1. Site Description

- 1.1 The application site is located at the rear of Norfolk Mews. Norfolk Mews is a 3-4 storey tall block of flats located on Sea Front on Hayling Island. The block contains a total of 17 flats in a mix of 1 and 2 bedroom units. To the rear of the block is a single storey store building. There is also a car park to the rear that serves the flats.
- 1.2 The surrounding area is largely residential in nature and of varied built form standing between two – four storeys in height. Many of the surrounding properties are occupied as flats.
- 1.3 The site is not located within a Conservation Area and the application site itself is not listed. The terrace immediately to the south of the site (Norfolk Terrace) is Grade II listed.
- 1.4 The site is located within Flood Zone 1 and on current information would remain so.

2. Planning History

APP/12/01287 Single storey storage building incorporating amendment to planning permission APP/11/01463 (retrospective application) Granted
(16/01/2013)

APP/11/01463 Erection of single storey storage building Granted
(15/11/2011)

3. Proposal

- 3.1 The proposal seeks planning permission for the change of use of an existing store to residential alongside its extension to create a one bedroom flat.

- 3.2 The applicant has appealed the proposal on the grounds of non-determination on the grounds of failure to determine the application within the statutory timeframe.
- 3.3 As the appeal is now valid and in progress, responsibility for determining the proposal has transferred from the Local Planning Authority (LPA) to the Planning Inspectorate.

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

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS14	(Efficient Use of Resources)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS19	(Effective Provision of Infrastructure)
CS9	(Housing)
DM10	(Pollution)
DM13	(Car and Cycle Parking on Residential Development)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
DM20	(Historic Assets)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)

Listed Building Grade: N/A but within the setting of an adjacent Grade II listed building
Conservation Area: N/A

5. Statutory and Non Statutory Consultations

Conservation Officer

Site/Location

The application site is located at Norfolk Mews, a 4-storey residential development located on Sea Front in Hayling Island. To the south of the development, is a 4-storey terrace of Georgian properties (of which the majority are subdivided into flats), known as Norfolk Terrace which fronts onto Hayling Island seafront.

Due to its architectural and historical significance, the terrace is Grade II listed. The area between the two buildings comprises a car park to serve Norfolk Mews, with the rear elevations of the terrace also facing onto the car park. There is a single storey flat roof

store which extends out from the southwest corner of Norfolk Mews, which is subject to this application.

Legislation

When assessing the proposal, the following legislation and policy context is taken in consideration.

Planning (Listed Building and Conservation Areas) Act 1990

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("1990 Act") requires local planning authorities to have special regard to the desirability of preserving a listed building, its setting or any features of special architectural or historic interest when considering whether to grant listed building consent.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires planning authorities, when considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

National Planning Policy Framework (revised December 2024)

Chapter 16 of the NPPF relates to **the Historic Environment** including paragraphs 202-221. The following paragraphs are most relevant to the determination of this application: 212 – 215.

Havant Borough Local Plan (Core Strategy 2011 and Allocations Plan 2014)

Policy CS11 – Protecting and Enhancing the Special Environment and Heritage of the Havant Borough
Policy CS16 – High Quality Design
Policy DM20 (Allocations Plan) - Historic Assets

Assessment

The proposal is to extend the existing, single storey extension by approx. 4.5m and change the use of the building to a 1no. bedroom residential unit. The proposal would be a continuation of the existing flat roof, with a slight increase in width and comprise matching materials.

With regards to the impact on the adjacent listed building (Norfolk Terrace), the proposal would not directly impact the physical fabric of the listed building. However, it would be within its immediate setting to the north, bringing the building closer to the listed building.

The setting to the north of the listed building is shown to be the rear plots serving each of the terraced properties (as per historic map dated 1896). However, this setting has already been heavily altered with the development of Norfolk Mews and its associated car park. As such, the setting with the most significance to the listed building, is to the south where it looks out over the beach.

Norfolk Terrace is separated into a number of properties, most of which are subdivided into apartments. The most western property is No. 53 Norfolk Terrace which has been extended at the rear with a three-storey, flat roof structure. As with the setting, the front of the building retains a higher level of architectural significance than the rear and it is this which is mainly referred to in the listing description.

As the proposal would impede into the existing separation distance between the two buildings, it would impact on the immediate setting of Norfolk terrace and it is therefore

considered to result in less than substantial harm, as defined by the NPPF, to the setting of the listed building. However, as the setting to the north of Norfolk Terrace has already been heavily altered, with the highest level of architectural and historical significance being retained at the front of the building and its setting to the south, it is considered that the level of harm would be at the lower end of the scale within the less than substantial harm bracket.

In line with the NPPF, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Conclusion

The proposal would result in less than substantial harm to the setting of Norfolk Terrace and therefore application fails to meet the tests set out in S16 and S66 of the Planning (Listed Building and Conservation Areas) Act 1990, along with the relevant parts of the NPPF and the adopted Local Plan.

Historic England - Comment

Historic England do not appear to have been consulted in the first instance regarding the planning permission. On the basis of the information available to date, in our view you do not need to notify or consult us on this application under the relevant statutory provisions, details of which are attached.

If you consider that this application does fall within one of the relevant categories, or you have other reasons for seeking our advice, please contact us to discuss your request.

Building Control

No comment received

Natural England

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.

Southern Water

Development Site is not within Southern Water's Supply Area

The development site is not located within Southern Water's statutory area for water supply drainage services. Please contact Portsmouth Water who are the relevant statutory undertaker.

Insufficient Information provided

Construction of the development shall not commence until details of the proposed means of foul water drainage disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.

Existing Southern Water Assets – General within boundary but no tree, buildings, assets within standoff distance (approximate)

Please see the attached extract from Southern Water records showing the approximate position of our existing sewer and water main assets crossing/in the vicinity of the development site. The exact position of the public assets must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised. To get in contact to confirm the exact position of the asset please visit: https://www.southernwater.co.uk/media/ph4fk3pe/ds-location-of-rising-mains_pb.pdf

For information on required stand-off distances from public sewers please refer to: <https://www.southernwater.co.uk/media/st5orjvm/stand-off-distances.pdf>

Surface water discharge proposed to existing watercourse

The Council's technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse.

Hierarchy of Building Regulations H3 for disposal of surface water - not yet provided documentation proving compliance

If the applicant has not already provided documentation demonstrating compliance with the surface water hierarchy reflected in part H3 of the Building Regulations, as shown below, we will require this to be provided where surface water is being considered for discharge to our network. Whilst reuse does not strictly form part of this hierarchy, Southern Water would encourage the consideration of reuse for new developments.

- Reuse
- Infiltration
- Watercourse
- Storm Sewer
- Combined Sewer

Guidance on Building Regulations is here:

<https://www.gov.uk/government/publications/drainage-and-waste-disposal-approved-document-h>

We would like to engage with you on the design for disposal of surface water for this development at the earliest opportunity and we recommend that civil engineers and landscape architects work together and with Southern Water. In many cases this may negate or reduce the need for network reinforcement and allow earlier completion of the development.

Where a surface water connection to the foul or combined sewer is being considered, this should be agreed by the Lead Local Flood Authority, in consultation with Southern Water.

Condition

We request that should this application receive planning approval, the following condition is attached to the consent: Construction of the development shall not commence until details of the proposed means of surface water run off disposal in accordance with Part H3 of Building Regulations hierarchy as well as acceptable discharge points, rates and volumes have been agreed by the Lead Local Flood Authority, in consultation with Southern Water.

S106 Connection application

Any new connections to the public sewerage system will require a Section 106 connection application to be submitted and approved by Southern Water Services. Please note that, where there are separate systems available Southern Water will not allow surface water to connect into the public foul sewer. If this is not possible, please provide evidence that all other options have been explored

Officer Comments: Should permission be granted, a pre-commencement condition requiring details of foul and surface water drainage to be submitted to and approved by the Local Planning Authority in consultation with Southern Water is recommended. Any Section 106 connection application would be addressed by way of an informative on the decision notice.

Ward Members

Cllr P Gray No comment received
Cllr W Forrow No comment received
Cllr J Hulls No comment received

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	Site Notice Display	19/09/2025	10/10/2025	Affects a Listed Building and/or the setting of a Listed Building
Press Advert	Press notice	26/09/2025	17/10/2025	Affects a Listed Building and/or the setting of a Listed Building

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

Number consulted: 142

No comments were received: No comments were received.

Material planning considerations are addressed in Section 7.

7 Impacts on European Sites/ Nutrient Neutrality & Recreational Pressure

- 7.1 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.

Water Quality

- 7.2 New development necessitates the provision of connections to the foul water drainage network. This will increase nutrient load at the Solent European Sites. This development site is within the catchment of a European Site (habitats site) vulnerable to nutrient impacts. The proposed development therefore has the potential to have a harmful effect on terrestrial Sites of Special Scientific Interest (SSSIs) and those Special Areas of Conservation (SACs), Special Protection Areas (SPAs) or Ramsar sites that they underpin.
- 7.3 The Council's Position Statement and Mitigation Plan set out how a nutrient budget should be calculated using the latest methodology provided by Natural England and the Council's occupancy calculator. The nutrient budget is used to inform the scale of mitigation needed in kilograms of nitrogen per year. As such, the contribution will be calculated based on the number of kilograms of nitrogen needed to ensure the development is 'nutrient neutral'.
- 7.4 The applicant has provided a nutrient budget calculator, an occupancy calculator and a European Site Avoidance and Mitigation Checklist. However, whilst it was indicated that the required mitigation contribution for nitrates would be secured as part of the planning application by way of a Unilateral Undertaking and payment of the mitigation contribution this was not secured. Hence when the LPA carried out an HRA/AA,

following which Natural England was consulted, no objection was raised by this statutory body, subject to appropriate mitigation being secured. Such mitigation has not secured. In view of this it has not been possible for the Local Planning Authority to ascertain that the proposal would not result in adverse effects on the integrity of any of the European sites in question.

- 7.5 As it has not been possible to ascertain whether the development would not result in adverse effects on the integrity of any of the European sites, if it was open for the LPA to determine, it would not be lawful for the Council to grant planning permission for the scheme.
- 7.6 In the appeal documents it has been indicated in the Nutrient Statement that *“The applicant proposes to mitigate this increase through the purchase of accredited phosphorus mitigation credits from a recognised off-site nutrient mitigation scheme.”* The LPA has not seen sight of a Deed of Allocation for the proposed off-site nutrient mitigation scheme, which now falls within the jurisdiction of the Planning Inspectorate to determine.

Recreational Pressure

- 7.6 The project being assessed would result in a net increase of a dwelling within 5.6km of the Solent SPAs. In line with Policy DM24 of adopted Havant Borough Local Plan (Allocations) Plan 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 indicated during the application process that a mitigation package based on the methodology in the Developer Contributions Guide would be secured. The scale of the proposed mitigation package would have removed the likelihood of a significant effect. The applicant indicated that they would be willing to enter into a legal agreement to secure the mitigation package in line with the requirements of the Habitats Regulations and Policy DM24, if permission was granted for the proposal. This has not been secured, and no reference is made to this required mitigation contribution in the submitted appeal documents.

In the absence of a suitable legal agreement to secure appropriate mitigation measures in respect of recreational pressure, the proposed development is likely to have a significant adverse effect on the integrity of the Solent European Sites, as identified in the Habitats Regulations Assessment undertaken for this application. Accordingly, the proposal is contrary to Policies DM24 of the Havant Borough Local Plan (Allocations) 2014, the Conservation of Habitats and Species Regulations 2017 (as amended), and the National Planning Policy Framework.

Planning Considerations

- 7.11 In other respects, having regard to the relevant policies of the development plan and all other material considerations 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 and setting of Listed Building
 - (iii) Effect on neighbouring properties

- (iv) Standard of Amenity for Future Occupants
- (v) Highways and Parking
- (vi) Flood Risk and Drainage
- (vii) Biodiversity Net Gain
- (viii) CIL

(i) Principle of Development

7.12 The application site is situated within an urban area where further development is considered acceptable subject to the usual development management criteria. In addition, the Council is unable to demonstrate a five year housing supply which currently stands at 1.3 years, with a 20% buffer. The proposal would make a very modest contribution to housing need, and this benefit needs to be given appropriate weight in the planning balance.

7.13 The National Planning Policy Framework 2025 paragraph 11 Presumption in favour of sustainable development states that:

For decision-taking this means:

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.*

7.14 It should be noted that d) above includes for applications involving the provision of housing situations where: the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with appropriate buffers). The principle of development in this location is therefore supported.

7.15 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.

7.16 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.

7.17 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.

7.18 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.

7.19 Thus the scheme has the potential to contribute to the Council's housing supply. This must be given some weight in decision making, while noting that the lack of 5-year supply does not indicate that planning permission should automatically be granted for development which would boost housing supply. Rather, permission should only be refused where the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, which are considered below in the planning balance.

(ii) Impact upon the character and appearance of the area and setting of Listed Building

7.19 The application site is located at Norfolk Mews, a relatively modern, 3-4-storey residential development located on Sea Front in Hayling Island. To the south of the development, is a 4-storey terrace of Georgian properties (of which the majority are subdivided into flats), known as Norfolk Terrace which fronts onto Hayling Island seafront. Due to its architectural and historical significance, the Norfolk Terrace is Grade II listed. The area between the two buildings comprises a car park to serve Norfolk Mews, with the rear elevations of the terrace also facing onto the car park. There is a single storey flat roof store which extends out from the southwest corner of Norfolk Mews, which is subject to this application.

7.20 The proposal would extend the store building approximately 4.5m closer towards Norfolk Terrace. The extension would take its design cues from the existing store, continuing its flat roofed form and height and also replicating its materiality. The extension would be staggered in places to accommodate a slightly splayed plot boundary. The width of the extension would be wider than the existing store.

7.21 Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("1990 Act") requires local planning authorities to have special regard to the desirability of preserving a listed building, its setting or any features of special architectural or historic interest when considering whether to grant listed building consent.

7.22 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires planning authorities, when considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

7.23 Local Plan Policies CS11, CS16 and DM20 between them, seek to ensure a high quality of design that is respectful to the surrounding context. Works are also expected to safeguard the appearance and setting of heritage assets.

7.24 The development is set to the rear of the Norfolk Mews building. It would not be easily viewed from surrounding public vantage points but would be visible from the private car park area serving Norfolk Mews and neighbouring windows. Officers do

not consider the proposal would adversely impact upon the character of the Norfolk Mews block of flats itself.

- 7.25 With regards to the impact on the adjacent listed building (Norfolk Terrace), the proposal would not directly impact the physical fabric of the listed building. However, it would be within its immediate setting to the north, bringing the building closer to the listed building.
- 7.26 The setting to the north of the listed building is shown to be the rear plots serving each of the terraced properties (as per historic map dated 1896). However, this setting has already been heavily altered with the development of Norfolk Mews and its associated car park. As such, the setting with the most significance to the listed building, is to the south where it looks out over the beach.
- 7.27 Norfolk Terrace is separated into several properties, most of which are subdivided into apartments. The most western property is No. 53 Norfolk Terrace which has been extended at the rear with a three-storey, flat roof structure. As with the setting, the front of the building retains a higher level of architectural significance than the rear and it is this which is mainly referred to in the listing description.
- 7.28 As the proposal would impede into the existing separation distance between the two buildings, it would impact on the immediate setting of Norfolk terrace and it is therefore considered to result in less than substantial harm, as defined by the NPPF, to the setting of the listed building. However, as the setting to the north of Norfolk Terrace has already been heavily altered, with the highest level of architectural and historical significance being retained at the front of the building and its setting to the south, it is considered that the level of harm would be at the lower end of the scale within the less than substantial harm bracket.
- 7.29 In line with the NPPF, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. A full assessment of this shall be undertaken in the conclusion of this report.
- 7.30 Consequently, the siting, scale design and appearance of the proposal is deemed to be inappropriate in context to the surrounding heritage assets and fails in meeting the requirements of Policies CS11, CS16 and Policy DM20 of the Local Plan.

(iii) Effect on neighbouring properties

Occupant of No. 63 Sea Front

- 7.31 No.63 Sea Front is a two storey dwelling attached to the western side of the Norfolk Mews flats. The property benefits from a small rear courtyard which borders the application site.
- 7.32 The proposed development would extend the existing built form close to the shared boundary with No. 63. However, the extension would be single storey in scale and would be largely screened from this neighbour's outlook by the existing relatively high boundary wall, which is surmounted by trellis. The proposed extension would not project above this boundary treatment. As such, it is considered that the amenities of the occupiers of No. 63 would not be unduly harmed by reason of overshadowing, overlooking or overbearing impact.

Effect on Occupants of Norfolk Terrace

- 7.33 The proposed development would extend the built form closer to the windows on the rear elevation of Norfolk Terrace to the south of the site. The individual properties in Norfolk Terrace are generally 4 storeys tall and contain individual flats.
- 7.34 The single storey nature of the development would mean that upper floor flats in Norfolk Terrace would not be harmed by the development. Instead, it is the occupants of the ground floor flats that would be most impacted. The development would come to approximately 5.5m from a ground floor flat rear facing window and would be built almost entirely adjacent to a side facing ground floor window. It is considered the development in such close proximity to neighbouring windows would appear overbearing in nature. These windows include north facing orientations in a space surrounded by relatively high built form. As such, their internal rooms do not currently benefit from a particularly high quality of natural daylight. The proposed extension would further reduce access to natural daylight, worsening existing conditions. Whilst no windows are proposed facing towards the rear of Norfolk Terrace, there would be a small outdoor amenity area formed. This space is not shown to be enclosed by any fencing. As such, the use of this space within a few metres of neighbouring windows could allow for increased opportunities for views through neighbouring windows resulting in a loss of privacy. Potential alternative uses for this outdoor space would include bin storage, if the communal bin storage was not available for future occupiers, or bicycle storage, which would also have potential to adversely impact on neighbouring amenity by way of odour and noise disturbance.

Impact on occupants of flats in Norfolk Mews

- 7.35 The development would not adversely impact upon the occupants of the existing flats in Norfolk Mews. It is considered these occupants would retain satisfactory outlook levels, would not be overshadowed and the development would not appear overbearing.
- 7.36 The positioning of the only door to the property would be set immediately adjacent to existing car parking spaces, which has the potential to cause neighbour conflicts around access and parking issues.
- 7.37 In light of the above, it is considered that the development would result in harm to neighbouring residential amenity, most notably to the occupants of ground floor flats in Norfolk Terrace. The proposal therefore fails to satisfy the requirement of Local Plan Policy CS16.

(iv) Standard of Amenity for Future Occupants

- 7.38 The development would provide a one bedroom flat with a gross internal floor area of 38sqm. Whilst small in size, this would satisfy the minimum size standards as set out in the Nationally Described Space Standards for a 1 bed – 1 person single storey dwelling with a shower room.
- 7.39 Future occupants would benefit from a window in the bedroom and a window with door into the living room, which would allow for some natural daylight into the primary habitable rooms. However, these windows would face directly onto the car park serving Norfolk Mews with parking spaces located directly outside of each window and the only door serving the property. Access to the property for future occupants would therefore be difficult at times, especially so for those with disabilities. Furthermore, the

windows could face directly on to parked vehicles within the adjacent parking spaces. This would result in natural daylight being restricted, providing unsatisfactory outlook for future residents. In addition, any exhaust fumes from motor vehicles have the potential to easily enter any open windows and noise from vehicles would also disturb residents.

7.40 In light of the above, it is considered the proposal would provide a substandard living arrangement for future occupant by reason of poor outlook, poor accessibility and potential pollution concerns. The proposal therefore fails to accord with Policy CS16 and DM10 of the HBLP (Core Strategy).

7.41 Policy CS16 requires development to achieve a high standard of design, respond appropriately to its context, safeguard neighbouring amenity, and provide acceptable living conditions for future occupiers. Whilst the principle of additional residential development attracts some support, the proposal conflicts with Policy CS16.

7.42 Firstly, the relationship with neighbouring ground floor flats at Norfolk Terrace would result in poor outlook and unacceptable harm to the residential amenities of those occupiers.

7.43 Secondly, the proposal would provide a poor standard of accommodation for future occupiers, by reason of inadequate outlook, poor accessibility, potential pollution concerns, and a lack of private amenity space

(v) Highways and Parking

Highways

7.44 The proposal would not result in any changes to the existing vehicular access arrangements serving the site.

Parking

7.45 Policy DM13 of the Havant Borough Core Strategy (2011) states:

“Residential development will only be permitted where it provides car parking and cycle storage in accordance with the standards set out in the Residential Car Parking and Cycle Provision Supplementary Planning Document.”

7.46 The proposal would form part of the Norfolk Mews block of flats. The development currently comprises 17 flats (a mix of one- and two-bedroom units) served by a private off-street car park to the rear, providing 20 parking spaces.

7.47 Against the standards set out in the Havant Borough Council Parking SPD, the existing level of provision is broadly align with the requirements for the current development, which typically require 1 space per one-bedroom dwelling and 2 spaces per two-bedroom dwelling, together with an allowance of 20% for visitor parking. However, the proposal would introduce an additional one-bedroom dwelling, which would normally necessitate the provision of one additional on-site parking space.

7.48 It has not been satisfactorily demonstrated that the existing parking area has the capacity to accommodate an additional space, nor that future occupiers of the proposed unit would have access to, or entitlement to use, a parking space within the site.

- 7.49 The surrounding highway network is subject to extensive double yellow line restrictions, and as such, opportunities for on-street parking in the vicinity are limited and constrained. The Havant Parking SPD makes clear that any reduction in parking provision should be robustly justified within a Transport Assessment or Design and Access Statement.
- 7.50 In support of the application, the applicant has submitted a Parking Stress Survey undertaken in accordance with Lambeth Council Parking Survey Guidance Note (2021). The survey was conducted between 00:30 and 05:30 on two weekday nights (14 January 2026 and 21 January 2026) and included the off-street parking provision at Norfolk Mews within a 200m survey area.
- 7.51 The survey identifies that:
- *Sections of the surrounding highway network provide no effective on-street parking capacity due to restrictions, with such areas recorded as having zero availability; and*
 - *The predominant source of parking supply within the survey area is the on-site car park at Norfolk Mews.*
- 7.52 The submitted surveys does not accord with the requirements of Havant's Parking SPD. Paragraph 4.33 requires parking surveys to be undertaken over a minimum period of one week, including weekdays and weekends, and at a range of times throughout the day, including early morning and late evening periods. The submitted survey is limited to two late-night observations and therefore does not provide a robust or representative assessment of parking demand.
- 7.53 In addition, the reliance on the Lambeth methodology is not considered appropriate within the Havant policy context and does not provide sufficient evidence to justify a reduction in on-site parking provision.
- 7.54 Overall, insufficient evidence has been submitted to demonstrate that the proposal would avoid unacceptable overspill parking, particularly in light of the limited on-street availability in the surrounding area.
- 7.55 There is a high demand for on-street parking in the locality as borne out by the car parking surveys. The proposal would be likely to exacerbate this situation perceptibly. Whilst the current situation of trying to find a car parking space may be accepted by neighbours, the lack of car parking provided by the proposal, would increase competition for the limited car parking that is available, giving rise to an unacceptable inconvenience to the living conditions of neighbouring occupiers, with particular regard to parking congestion, with the potential of leading to frustration and resentment within the community, against the occupiers of the development. Policy CS16 among other things seeks high quality design that does not cause unacceptable harm to the amenity of neighbours and Policy DM13 seeks to permit development where it provides car parking and cycle storage in accordance with the standards set out in the SPD.
- 7.56 It is acknowledged that the development would have some sustainability benefits; especially that it is sited within the built-up area of Hayling Island, where there are a range of services, facilities and employment opportunities and that one additional dwelling would make a modest addition to the Council's housing stock. However, due to the lack of on-site parking, the proposal would be significantly harmful, to the living conditions of neighbouring occupiers and the occupiers of the proposal and that

outweighs the benefits associated with the scheme. Therefore, the proposal would be contrary to Policies CS16 and DM13 of the Havant Borough Core Strategy 2011 and Havant's Car Parking SPD.

Cycle/Bin Storage

- 7.57 No cycle storage provision has been identified as part of the submitted plans within the site. In respect of refuse storage, it is stated that Norfolk Mews provides communal refuse storage. However, the absence of on-site cycle provision represents a shortcoming of the proposal. That said, it is likely that such provision could reasonably be accommodated within the site and if permission was granted, this could be secured by a condition.

(vi) Flood Risk and Drainage

- 7.58 The proposed dwellings and access would be sited wholly within Flood Zone 1. National Guidance states that Flood Zone 1 is suitable for all types of development. As to foul and surface water drainage for the site Southern Water have recommended conditions, which would be recommended if permission is granted.

(vii) Biodiversity Net Gain

- 7.59 This application is exempt from the requirements relating to Biodiversity Net Gain as it would impact less than 25 square metres of non-priority habitat and less than 5 of non-priority onsite linear habitats.

(viii) Community Infrastructure Levy (CIL)

- 7.60 The proposal would result in new residential development which is CIL liable, and the appropriate forms have been submitted. The proposal would provide a property with a gross internal area of 38sqm. This would attract a CIL payment of £6,632.90, should permission be granted.

8 Overall Conclusions & Planning Balance

- 8.1 As stated above, the LPA can only demonstrate 1.3 years of housing land supply. Under paragraph 11(d) of the NPPF, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land and securing well-designed places.
- 8.2 The proposal would cause less than substantial harm to the setting of the Grade II listed Norfolk Terrace and therefore application fails to meet the tests set out in S16 and S66 of the Planning (Listed Building and Conservation Areas) Act 1990, along with the relevant parts of the NPPF and the adopted Local Plan.
- 8.2 Paragraph 215 of the NPPF states, "*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*"
- 8.3 In this instance, the public benefits of the scheme include the creation of one additional residential unit. There would be additional benefits associated with providing employment opportunities during the construction of the development, however, these would be short lived. Other benefits include future occupants supporting local

businesses. Given the modest scale of the development and that such a small property would likely only house 1 or possibly 2 occupants, the benefits are extremely modest.

- 8.4 In this instance, harm has been identified to neighbouring residential amenity of occupants in Norfolk Terrace and the proposal would provide a poor standard of residential accommodation for future occupants of the proposed accommodation to which significant weight is given.
- 8.5 In the absence of adequate on-site parking provision and robust supporting evidence to justify a departure from the Havant Borough Council Parking SPD, the proposal fails to demonstrate compliance with Policy DM13 of the Havant Borough Local Plan (Allocations) 2014. The submitted Parking Stress Survey is methodologically deficient and does not accord with local policy requirements, and insufficient information has been provided to establish that the development would not result in unacceptable overspill parking to which modest weight is given.
- 8.6 Furthermore, the lack of secure and convenient cycle storage fails to promote sustainable modes of transport. Given the constrained nature of on-street parking in the locality, the proposal would likely exacerbate existing parking pressures to the detriment of the living conditions of both neighbouring and future occupiers.
- 8.5 The application lacks sufficient information to demonstrate nitrate neutrality and avoidance of recreation disturbance, due to the applicant's failure to enter into a legal agreement to secure the necessary avoidance and mitigation package. The Habitats Regulations Assessment and Appropriate Assessment undertaken by the Local Planning Authority concluded that an avoidance and mitigation package has not been secured. As a result, it cannot be confirmed that the development would not result in a significant adverse effect on the integrity of the Solent European sites. Although the applicant has indicated in the appeal documents that necessary mitigation would be secured via a third party, this has not been received. In the absence of a confirmed and enforceable avoidance and mitigation strategy, the Council is legally unable to grant planning permission for the development. This is a matter that must be given significant and substantial weight in the decision-making process.
- 8.6 In the overall planning balance, the benefits of the proposal are considered to be modest. The benefits of the scheme are afforded the appropriate weight, particularly at a time when the Local Planning Authority can demonstrate only 1.3 years of housing land supply but are not considered to outweigh the identified harm.
- 8.7 Due to the substantial and evidenced harms identified, the proposal conflicts with the development plan as a whole and fails to demonstrate that the benefits would significantly and demonstrably outweigh these identified harms. If it had been open to the Local Planning Authority to determine the application, it would have been recommended for refusal for the following reasons.

9. RECOMMENDATION:

That the Interim Head of Planning informs the Planning Inspectorate that had an appeal not been lodged and if the Local Planning Authority had retained the power of

decision, it would have been minded to REFUSE PLANNING PERMISSION for application APP/24/00968 for the following reasons:

1	The proposed extension and change of use, by reason of its siting, scale and encroachment into the remaining separation between Norfolk Mews and the Grade II listed Norfolk Terrace, would cause harm to the setting and significance of that designated heritage asset. Whilst the harm is identified as less than substantial, the Local Planning Authority considers that the limited public benefits arising from the provision of one additional residential unit would not outweigh that harm. The proposal therefore fails to preserve the setting of the listed building and is contrary to Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, paragraph 215 of the National Planning Policy Framework, and Policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and Policy DM20 of the Havant Borough Local Plan Allocations Plan 2014.
2	The proposed extension and change of use, by reason of its siting, layout and close proximity to windows serving ground floor flats at Norfolk Terrace, would result in an overbearing form of development, an unacceptable reduction in natural daylight, and increased opportunities for overlooking and loss of privacy. In addition, the proposed outdoor amenity space, by virtue of its position close to neighbouring windows and its potential use for sitting out and cycle storage, would give rise to noise and disturbance harmful to the living conditions of neighbouring occupiers. Furthermore, the positioning of the sole entrance door immediately adjacent to existing parking spaces would be likely to give rise to conflict in respect of access and parking. Taken together, the proposal would result in unacceptable harm to proposed residential amenity and neighbouring residential amenity, most notably for the occupants of ground floor flats at Norfolk Terrace, contrary to Policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) and the National Planning Policy Framework.
3	The proposed dwelling, by reason of its siting adjacent to the parking area serving Norfolk Mews, would provide a poor standard of accommodation for future occupiers, with inadequate outlook, poor accessibility and likely disturbance from vehicle noise and fumes. The proposal would therefore be contrary to Policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011.
4	Development of the site in the manner proposed would not provide adequate provision of car parking in accordance with the Local Planning Authority's adopted standards set out in the Havant Borough Council Parking Supplementary Planning Document and would therefore have a detrimental impact on the amenities of occupiers of the building, nearby residents and the locality. The proposal is therefore contrary to policies CS16 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
5	In the absence of a suitable legal agreement to secure appropriate mitigation measures in respect of water quality pressure, the proposed development is likely to have a significant adverse effect on the integrity of the Solent European Sites, as identified in the Habitats Regulations Assessment undertaken for this application. Accordingly, the proposal is contrary to Policies DM24 of the Havant Borough Local Plan (Allocations) 2014, the Conservation of Habitats and Species Regulations 2017 (as amended), and the National Planning Policy Framework.
6	In the absence of a suitable legal agreement to secure appropriate mitigation measures in respect of recreational pressure, the proposed development is likely to have a significant adverse effect on the integrity of the Solent European Sites, as

identified in the Habitats Regulations Assessment undertaken for this application. Accordingly, the proposal is contrary to Policies CS11 and CS19 of the Havant Borough Local Plan (Core Strategy) 2011, the Conservation of Habitats and Species Regulations 2017 (as amended), and the National Planning Policy Framework.

Informatives:

1	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.
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