

Supplementary Planning Information

HAVANT BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE
28 April 2016

The following supplementary planning information was unavailable when the agenda for the Development Management Committee held on 28 April 2016 was,

Agenda No	Item
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9(1)	<u>APP/15/01355 - Tamarisk, Ferry Road, Hayling Island, PO11 0DG</u>
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Officer Report	(Pages 1 - 10)
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Proposal: Demolition of existing dwelling and construction of new dwelling with associated landscaping and improvements to sea-defences.

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Site Address: Tamarisk, Ferry Road, Hayling Island, PO11 0DG
Proposal: Demolition of existing dwelling and construction of new dwelling
with associated landscaping and improvements to sea-defences.
Application No: APP/15/01355 Expiry Date: 26/01/2016
Applicant: Mrs L Montague
Agent: Mr R Butler Case Officer: Daphney Haywood
John Pardey Architects
Ward: Hayling West

Reason for Committee Consideration: At the request of Councillor Lenaghan

HPS Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The site lies in West Hayling at the western end of Ferry Road and comprises a vacant 2 bedroom single storey dwelling with a water frontage to the north. It is the last in a line of mainly 2 storey development beyond which lies the compound and offices to Langstone Harbour Board. To the west and south lies the Ferry Boat Inn, public toilets and car park with Sinah Common and the golf course beyond. The site is located outside of the urban area for Development Plan purposes, and within the Coastal Zone and Flood Zone 2 and adjacent to the Langstone Harbour Site of Special Scientific Interest (SSSI), the Chichester and Langstone Harbours Ramsar and Special Protection Area (SPA) and the Solent Maritime Special Area of Conservation (SAC).
- 1.2 The existing bungalow sits back from the road on a long and narrow, slightly wedge shaped plot of some 0.07 ha. It has a chain link fence and gates to Ferry Road and a tall concrete panelled wall along its western boundary to the boatyard. Onto the harbour, it has a slipway situated between the Hampshire County Council pontoon to the west and a privately owned pontoon serving the neighbouring house immediately to the east.

2 Planning History

None for application site

The Deck House

APP/03/61550- replacement dwelling. Permitted 2003

3 Proposal

- 3.1 Demolition of existing dwelling and construction of new two storey dwelling with associated landscaping and improvements to sea-defences. The proposed dwelling would be of contemporary design and the main living accommodation would be located at first floor to take advantage of the sea views. It would be constructed of dark bricks with white stained timber above. A photo voltaic array would be located on the flat roof hidden behind parapet walls. A large first floor roof terrace leading off full height glazing would wrap around the northern and western sides of the proposed dwelling.
- 3.2 Timber clad 'hit-and-miss' fencing and gate of a similar height would replace the existing boundary treatment to Ferry Road, beyond which would be located a landscaped planting area. The existing sea wall on the northern boundary would be repaired and raised by up

to 0.5m to achieve a top of wall height of 3.3m AOD.

- 3.3 The plans have been amended since the original submission to re-site the external stairs to the western boundary, reduce the depth of the northern part of the terrace by 1m and decrease the height of the chimney.

4 Policy Considerations

National Planning Policy Framework 2012

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS9	(Housing)
DM13	(Car and Cycle Parking on Residential Development)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)
DM9	(Development in the Coastal Zone)

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)

Borough Design Guide Supplementary Planning Document 2011

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Natural England Government Team

Chichester and Langstone Harbours SPA and Ramsar Site and Solent Maritime SAC:

In advising your authority on the requirements relating to Habitats Regulations Assessment, and to assist you in screening for the likelihood of significant effects, based on the information provided, Natural England offers the following advice:

- the proposal is not necessary for the management of the European site
- that the proposal is unlikely to have a significant effect on any European site, and can therefore be screened out from any requirement for further assessment

SSSI: No objection – with conditions

Protected Species: We have not assessed this application and associated documents for impacts on protected species.

Environment Agency

No objection in principle to the proposed development; condition recommended relating to adherence to submitted Flood Risk Assessment.

The proposed development has been considered a replacement dwelling of a single residential property with another single residential property. The proposed development is located within flood zones 2 and 3. The proposed development raises finished floor levels from 3.01mAOD to 3.70mAOD and so, provides betterment with

respect to flood risk mitigation.

However, it must be noted that the predicted sea level for 2115 is 4.5m AOD. Therefore, over its lifetime the proposed development could experience flood depths of 1.77m. Safe refuge against the predicted 2115 sea level is available within the property, however, safe access and egress is unlikely. The applicant proposed use of flood warning procedures and an evacuation place but may wish to consider further flood resistance and resilience measures.

Langstone Harbour Board

The Board's Planning Sub Committee has considered this application and has no objections to the proposals but request that major construction work takes place outside the wintering bird season (Oct – March inc).

Officer comment: This would be covered by the conditions requested by Natural England.

Engineer

No comments received

County Minerals

No comments received

Hampshire Wildlife Trust

No comments received

Royal Society for the Protection of Birds

No comments received

Building Control

Unprotected areas on the east elevation would exceed permitted limits due to the timber cladding.

Officer comment: The timber cladding on the east elevation would be treated with a suitable flame retardant and fire protection coating to meet Building Control requirements

Coastal Engineering

I can confirm that the Eastern Solent Coastal Partnership has no objection to the above proposal. The improved coastal defences, raised floor levels and other resilience and resistant measures mitigate the flood risk appropriately. It should be noted that access to the site via Ferry Road may be limited during an extreme tidal flood event (in particular the locality adjacent to 'the Kench').

County Ecologist

Protected and notable species within 50m

The application site is immediately adjacent to Langstone & Chichester Harbours SPA and Ramsar, the Solent Maritime SAC and Langstone Harbour SSSI. As such there is potential for any construction-related activities to impact upon these sites e.g. through disturbance of overwintering bird species, deposition of dust, waterborne pollutants etc. Any application documents will need to provide sufficient information to demonstrate that these issues have been understood and addressed.

The proposals entail the demolition of the existing dwelling. Although unlikely, there may be potential for legally-protected species such as bats and birds to occur and be affected. Suitable information should be provided. In common with other similar areas on Hayling, any garden grassland may support populations of notable plant species such as orchids.

A Phase 1 ecological survey of the site: this including an assessment of the potential for the site to support protected species is required.

Officer comment: A preliminary Ecological Appraisal, comprising the Phase 1 survey and desktop study, has been undertaken to ascertain the potential for protected habitats and species to be present within the site. Additionally a Phase 2 reptile survey was undertaken to establish the status of these species on the site. The report concludes that the site supports habitats of low ecological value. There is limited suitable habitat for nesting birds; the results of the reptile survey suggest reptiles are absent from the site. The site offers no suitability for any other protected species.

Development Engineer - Highways

No adverse comments

Waste Services Manager

I have no concerns over waste collection regarding this planning application.

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 3

Number of site notices: One

Statutory advertisement: Not applicable.

Number of representations received: 32 one in support

Summary against:

- Overdevelopment - a vast structure which will dwarf the other buildings and overwhelm the area.
- The building is too large for the site, it is ugly and industrial in style,.
- Over-bearing to the neighbouring properties, and will over-shadow the property next door.
- The visual and Landscape appraisal is inadequate for this important location at the mouth of Langstone Harbour.
- Out of character, the flat roof overly large bulky building would be ugly and is industrial in style, detracting from the area and is a blot on the landscape.
- Serious adverse and overbearing impact on the Deck House owing to the excessive bulk and scale which extends well beyond the front and rear building lines.
- The excessive height and bulk will cast shade on the Deck House and its balconies for much of the day. The house should be re-sited to the west.
- The holly tree and hedge should be retained at a height of 1.8m to provide privacy, landscaping and habitat for wildlife.
- Contrary to flooding policy not to increase the number of bedrooms.
- The spiral staircase is intrusive and will result in loss of privacy.

- The amended plans do not address the concerns.

Summary for:

- The design is sensitive of good quality and very sustainable.

Officer Comment:

The matters are addressed below.

7 Planning Considerations

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Impact on visual amenities and the character of the area
- (iii) Effect on neighbouring properties
- (iv) Flooding
- (v) Ecology and the Habitats Regulations
- (vi) Highway Implications
- (vii) Developer contributions

- (i) Principle of development

7.2 The site lies outside the urban area (Policy AL2 Urban Area Boundaries and Undeveloped Gaps between Settlements), and National Planning Policy Framework policies on housing in rural areas also apply in such situations. However, as there is an existing dwelling on the site, then subject to the flood risk issues being resolved and compliance with the other relevant Local Plan Policies, a replacement dwelling can be supported in principle.

- (ii) Impact on visual amenities and the character of the area

7.3 The application site occupies a prominent and open location near the western end of Ferry Road. Ferry Road is characterised by a variety of development comprising both residential and commercial land uses, and features a range of buildings of mixed height, bulk, design and materials. Policy CS16 of the Core Strategy 2011, as supplemented by the Borough Design Guide, states that development should respond to local context and respect existing features of natural, historic or local character within or close to the proposed development site. The characteristics of the locality should also be used to help inform the design of the new development including heights, massing, existing building lines, plot widths and depths and materials. In this case the proposed dwelling would be of contemporary design, and of two storey height in response to the local context. Unlike the existing dwelling which is sited to the rear of the plot it would be located on a similar building line to the dwellings to the east, and would be of similar 2 storey height.

7.4 The site is located in a prominent position at the western end of a row of mainly two storey dwellings of varying design and roof forms, and it is considered that a contemporary approach can be achieved in this location without adversely impacting the character and appearance of the area - the contemporary design adding further variety to an already mixed locality in terms of land use and architectural style. The application is supported by a Landscape and Visual Impact Assessment which assesses the development from the surrounding areas and demonstrates that it will not result in an adverse visual impact in the wider landscape. It is therefore considered that the design of

the dwelling has taken account of the site's wider context, is of an appropriate design quality, and would therefore meet the requirements set out in Policy CS16 of the Core Strategy and the Borough Design Guide in these respects.

(iii) Effect on neighbouring properties

7.5 With respect to the effect on neighbouring properties, the main impact of the development proposal relates to The Deck House which adjoins the eastern boundary, and it is noted that concerns about the relationship between these properties have been raised in a number of representations. As can be seen from Appendix B, the two storey footprint of the proposed dwelling would extend a similar depth to the Deck House and be sited 1m from the boundary with the Deck House. The existing windows in the west elevation of The Deck House facing the application site comprise a bathroom and toilet window. In addition there is a front porch and rear balcony which draw light from the west.

7.6 The porch, bathroom and toilet within The Deck House are not considered to be primary or habitable rooms requiring a high level of outlook or light levels, and the 2m separation (1m on the application site and 1m on the Deck House site) is considered acceptable in this context. With respect to the rear balcony the proposed two storey element of the new dwelling would extend very slightly beyond this - however, it and the western single storey element which projects further to the rear would not infringe a 45 degree angle from the principal views north from the balcony or the mid point of the nearest window in the rear elevation of The Deck House. These considerations are significant as they reflect the guidance in the Borough Design Guide as to how extensions can avoid loss of light and outlook to neighbours:

"Obstruction of light and outlook from an existing window can be mitigated against if the extension does not result in the centre of the existing windows being within a combined plan and section 45 degree overshadowing zone."

7.7 Furthermore, whilst the eaves height of the new dwelling would exceed that of the Deck House, it would be well below the ridge height of the Deck House, and is not considered to be unacceptably dominant. The height of the proposed chimney on the eastern elevation, which projects above the roof height of the new dwelling and which lies immediately adjacent to the balcony area of the Deck House, has also been reduced in height since submission in order to reduce the impact of this feature on the immediate outlook of the balcony area.

(iv) Flooding

7.8 The site lies within flood zones 2 and 3. The proposal is for a replacement dwelling with improved sea defences and raised floor levels from 3.01m AOD to 3.7m AOD and therefore a betterment with respect to flooding risk. The Environment Agency has requested a condition requiring adherence to the submitted Flood Risk Assessment, as well as further advice regarding rising sea levels and access to the site. This latter matter would be best covered by a proposed informative. With respect to the increase in the number of bedrooms on the site arising from the larger replacement dwelling, it remains the case that the site will only accommodate one household, and in this context it is the measures to mitigate the impacts of flooding which are relevant to the decision, and the submitted plans provide betterment with regard to flood risk.

(v) Ecology and the Habitats Regulations

7.9 The site immediately abuts the foreshore of Langstone Harbour that is protected with the following nature conservation designations: Special Protection Area (SPA); Special Area of Conservation (SAC); Ramsar and Site of Special Scientific Interest (SSSI). Accordingly Policy CS11 of the Core Strategy applies which seeks to protect these special landscapes and any development of this site would have to comply with the provisions of

this policy. A preliminary Ecological Appraisal, comprising the Phase 1 survey and desktop study, has been undertaken to ascertain the potential for protected habitats and species to be present within the site. Additionally a Phase 2 reptile survey was undertaken to establish the status of these species on the site. The report concludes that the site supports habitats of low ecological value. There is limited suitable habitat for nesting birds; the results of the reptile survey suggest reptiles are absent from the site. The site offers no suitability for any other protected species. A Construction Environmental Management Plan (CEMP) prepared in association with an Ecologist to be employed during the construction stage of the scheme to ensure there are no construction related impacts (such as noise, vibration and pollution) on the nearby designated sites in accordance with the condition requested by Natural England is recommended. Taken together, these appraisals and proposals are considered to suitably address the potential impact of the site on sites and species of ecological interest.

- 7.10 The application has also been assessed under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) (The Habitats Regulations). The proposal would not lead to a net increase in population as the proposal is for a replacement dwelling, and as such the effect is unlikely to lead to a significant effect (as described in Regulation 61(1) (a) of the Habitats Regulations) on any European sites. Furthermore the development is not necessary for the management of the European sites. As such an appropriate assessment under Regulation 61 of the Habitats Regulations is not necessary.

(vi) Highway Implications

- 7.11 The proposed access will be in a similar location to the existing access and the submitted plans demonstrate that car parking (3 spaces) with turning can be provided in accordance with the Council's adopted standards.

(vii) Developer contributions

- 7.12 The proposal is for a replacement dwelling and hence a contribution to the Solent Recreation Mitigation Project is not required. The proposal is, however, CIL liable and the applicant has been advised of this.

8 Conclusion

- 8.1 The area is characterised by a variety of built form and the proposed contemporary design will add further variety to the nature of development in the area. A visual appraisal has been submitted in support of the application which demonstrates how it will contribute to the rich and varied character of the area. The design has had regard to the relationship with the adjacent property to the east at The Deck House and an acceptable relationship is achieved. The development can be carried out satisfactorily having regard to matters of flood risk, ecology and highways/access. The application is therefore considered to accord with relevant local plan policies and subject to conditions approval is recommended.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/15/01355 subject to the following conditions:

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and

Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Proposed site location plan and block plan 1505-PP-100 Rev A
Existing site plan 1505-PP-110
Proposed site plan 1505-PP-150 Rev A
Proposed ground floor plan 1505-PP-200-Rev A.
Proposed first floor plan 1505-PP-201-Rev A.
Proposed ground roof plan 1505-PP-202-Rev A.
sections 1505-PP-300-Rev B.
East and west elevations 1505-PP-400-Rev B,
North and south elevations 1505-PP-401-Rev B

Reason: - To ensure provision of a satisfactory development.

- 3 The development shall not be occupied until further details of the landscaping works shown on the approved plans have been submitted to and approved in writing by the Local Planning authority. The landscaping shall be carried out in accordance with the approved details and in accordance with any timing / phasing arrangements approved or within the first planting season following first occupation of the development hereby permitted, whichever is the sooner. Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11, CS16, DM8 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 No part of the development shall be first occupied until details of the type, siting, design and materials to be used in the construction of all means of enclosure including boundaries, screens or retaining walls, have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

Reason: To safeguard the amenities of the locality and occupiers of neighbouring property and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extension or building alterations shall be constructed within the curtilage of the site without the prior approval of the Local Planning Authority.

Reason: To safeguard the amenities of the locality and occupiers of neighbouring property and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 The car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made

fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.

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

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

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

- 8 The development hereby permitted shall not be first occupied unless and until the existing dwelling has been demolished and all resultant materials removed from the site unless otherwise approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the locality and occupiers of neighbouring property and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 9 Notwithstanding the submitted plans the rear balcony/first floor terrace hereby permitted shall not be brought into use unless and until details of a 1.8 metre high screen to the eastern side has been submitted to and agreed in writing by the local planning authority and subsequently erected in accordance with the approved details. The screen shall thereafter be maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of adjoining residents and uses having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 10 The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) October 2015 (reference 2398) which was prepared by Ambiental for John Pardey Architects and the following mitigation measures detailed within the FRA:

1. Finished floor levels are set at 3.7m above Ordnance Datum (AOD).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason To reduce the risk of flooding to the proposed development and future occupants and having due regard to policy CS15 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 11 No percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbAmax – measured at the sensitive receptor) shall

be undertaken during the bird overwintering period (i.e. October to March inclusive).

Reason: To ensure the conservation status of the Chichester and Langstone Harbours SPA and SSSI, and Solent Maritime SAC and having due regard to policy CS11, DM8 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 12 Prior to the commencement of the development hereby approved, a Construction Environmental Management Plan overseen by a qualified ecologist shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall identify the steps and procedures that will be implemented to minimise the creation and impact of dust, pollution of the harbour and waste disposal resulting from the site preparation, groundwork and construction phase of the development. Once approved, the Construction Environmental Management Plan shall be adhered to at all times, unless otherwise first agreed in writing with the Local Planning Authority.

Reason: To ensure the conservation status of the Chichester and Langstone Harbours SPA and SSSI, and Solent Maritime SAC and having due regard to policy CS11, DM8 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 13 Any works to the sea wall shall not encroach on to the SPA, both in final design nor during construction

Reason: To ensure the conservation status of the Chichester and Langstone Harbours SPA and SSSI, and Solent Maritime SAC and having due regard to policy CS11, DM8 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Appendices:

- (A) OS Location Plan
- (B) Proposed Block Plan
- (C) Proposed Site Plan
- (D) Proposed Ground Floor Plan
- (E) Proposed First Floor Plan
- (F) Proposed Roof Plan
- (G) East and West Elevations
- (H1) North and South Elevations