

Recommendation: **GRANT PERMISSION**

Shore House, Langstone, is a detached dwelling with a large curtilage, which is directly adjacent to the shoreline of Langstone Harbour. The property is a domestic residential 4 bedroom house constructed with brick walls under a clay tiled roof. Part of the property has vertical clay tiling above ground floor level. The property is sited within the Mill Lane Conservation area. The property is served by its own tree lined private drive from Mill Lane which also serves an adjacent property to the south and provides access to part of 5 Mill Lane. The front garden to the south extends for approximately 100 metres to the foreshore of Langstone Harbour, and the foreshore for the width of the southern boundary down to the mean high water mark is also part of the property. The grounds border the Hayling Billy Trail along their entire eastern side. The property was originally constructed under a planning condition to raise the ground floors by just over 1 metre as a precaution against flooding, and the site is within Flood Zone 3.

00/65794/000 - Construction of porch to south elevation, PERM,18/12/2000

99/50681/013 - Erection of single garages to east and west elevations,
PERM,18/05/2000

10/52497/009 - Fell 1No. Conifer tree within Mill Lane Conservation Area.,
WD,22/03/2010

APP/11/01466 - Reduce Leylandii hedges to driveway boundary to 4m; to western
boundary to 6m and to eastern boundary to 4m. All hedges within Mill Lane
Conservation Area. , RNO,17/11/2011

APP/12/00155 - Demolition of existing conservatory and lean to. Construction of
single storey sun room to rear. Front and side extension to garage. Extension of
balcony on first floor over sun room at rear., PERM,14/05/2012

APP/13/00249 - Part two storey, part first floor side extension incorporating
conversion of garage and store into living accommodation., WD,16/05/2013

APP/13/00493 - Part two storey, part first floor side extension incorporating
conversion of garage and store into living accommodation. (Revised Application).,
PERM,16/07/2013

APP/13/00816 - Demolition of existing 3 bed house and construction of new 3 bed
house., PERM,15/11/2013

APP/13/00874 - Conservation Area Consent for demolition of existing 3 bed
dwellinghouse., PERM,15/11/2013

APP/14/00120 - Fell 4No. Cypress trees (T1 - T4) situated within Mill Lane
Conservation Area., RNO,18/03/2014

APP/14/00607 - Discharge of Condition No's 2,3,4,5,6,7 8 and 9 of Planning
Permission APP/13/00816., PERM,08/10/2014

APP/15/00159 - Fell 1No. Walnut Tree (T3) and replace with similar species, subject
to TPO 1284., REF,02/04/2015

APP/15/00360 - Single extension to west elevation (amendment to previous approval
for two storey extension APP/13/00493) and two storey extension to east (front)
elevation. Removal of 1No Walnut (T3), subject to TPO 1284., REF,12/08/2015

APP/15/00541 - Removal of Condition 4 of Planning Permission APP/13/00493
relating to trees., PERM,03/07/2015

APP/15/01357 - Single storey extension to east (front) elevation (revised application).,
PERM,04/02/2016

APP/18/00189 - Trim canopy of overhanging trees back to boundary along east side
of property by 1m, within Conservation Area of Mill Lane.
, RNO,19/04/2018

3 Proposal

Front Loggia extension, side garage extension, single storey eastern extensions with first floor balcony extension, following demolition of 52m² of existing single storey building and conservatory to east of existing dwelling, along with removal of existing 1.8m high brick wall to west of existing building. The felling of trees to the eastern and western site boundaries (Cypress tree groups).

4 Policy Considerations

National Planning Policy Framework
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)
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
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

DM20	(Historic Assets)
AL1	(Presumption in Favour of Sustainable Development)

Listed Building Grade: Not applicable.
Conservation Area: Mill Lane (Langstone)

5 Statutory and Non Statutory Consultations

Chichester Harbour Conservancy

No comment received.

Conservation Officer Background

The application site comprises a two-storey, detached residential property, of brick and tile construction. The property is sited within the Mill Lane Conservation area. The grounds border the Hayling Billy Trail along their entire eastern side.

The property is served by its own tree lined private drive from Mill Lane which also serves an adjacent property to the south "Tidelands" and provides access to part of 5 Mill Lane. The front garden to the south extends for approximately 100 metres to the foreshore of Langstone Harbour.

Proposal

- Demolition of existing single storey building and conservatory to east of dwelling
- Removal of 1.8m high brick wall to west of existing building
- Construction of front loggia extension
- Construction of side garage extension
- Construction of single storey eastern extensions with first floor balcony extensions

Legislative and Policy Context

When assessing the proposal, the following legislation and policy context is taken in consideration. Section 72 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 Conservation Area, to have special regard to the desirability of preserving or enhancing the character and appearance of that area.

NPPF (December 2023) – Chapter 16

With regards to local planning policy, the following are relevant:

Policy CS11 of the Core Strategy states that planning permission will be granted for development that:

Protects and where appropriate enhances the borough's statutory and non-statutory heritage designations by appropriately managing development in or adjacent to conservation areas, listed buildings, scheduled ancient monuments, historic parks and gardens, archaeological sites, buildings of local historic or architectural interest.

Policy CP16 (1a) of the Core Strategy states 'Planning permission will be granted for development that is designed to a high standard, which helps to create places where people want to live, work and relax. All development should demonstrate that its design:

Identifies and responds positively to existing features of natural, historic or local character within or close to the proposed development site'.

Policy DM20 of the Allocations Plan states that planning permission will be granted for development proposals that conserves and enhances the historic assets of Havant. It also states that application which affect, or have the potential to affect, heritage assets are expected to provide a Heritage Statement that:

1. Describe the significance of the asset and its setting, using appropriate expertise and where necessary original survey, at a level of detail proportionate to its significance and sufficient to understand the potential impact of the proposal.
2. Sets out the impact of the development on the heritage assets and mitigation that is proportionate to the impact and the significance of the heritage asset, including where possible positive opportunities to conserve and enjoy heritage assets.

Assessment:

The proposals seek to renovate the appearance of the property and update the internal configuration. The proposed alterations will improve the appearance of the property, with the addition of more high quality, bespoke features such as the front, ground floor veranda and enlarged front dormer window.

The removal of the rear conservatory and replacement with a brick built structure of higher quality, will also benefit the property. The plans specify that brickwork and roof tiles will match those on the existing dwelling however, where new materials are introduced, samples should be provided and agreed prior to the commencement of works.

The proposals are sympathetic and in keeping with the host dwelling. Nonetheless, the building is well screened within the plot and not highly visible within the public realm of the conservation area.

Overall, the proposals would not result in harm to the designated heritage asset, that being the Mill Lane Conservation Area and will meet the test of Section 72 of the T&CPA 1990, by preserving and enhancing the special character of the conservation area. It will also comply with the relevant parts of Chapter 16 of the NPPF and the relevant local plan policies.

Conclusion**NO OBJECTION**

1. Where new materials are proposed, sample and / or details of external materials are required for submission and approval prior to above ground construction.

Councillor Daniel Berwick

No comment received.

County Waste Management

No comment received.

Ecologist, Planning Policy Team**Original Comment:**

The application is not accompanied by any ecological information. Whilst I would not expect the dwelling to be of significant ecological importance, the proposed works will entail the removal of features such as hanging tiles and roof materials which have potential to provide suitable habitat for legally protected species such as bats.

I would recommend that the applicant provides an ecological assessment, to be provided by a qualified ecologist. The Chartered Institute of Ecology and Environmental Management (CIEEM) (www.cieem.net) holds a database of suitably qualified ecologists. An ecological assessment will determine whether there is any evidence of protected and notable habitats and species, and whether the proposed works are likely to result in impacts to those habitats and species. Unless the qualified ecologist can conclude that there is no reasonable likelihood of protected habitats and species being present (due to negligible potential) or that if present they are not to be impacted by the works, it is likely that further ecological survey work will be required prior to determination of any application.

The results of any further surveys should be used to provide an assessment of the likely ecological impacts of the proposed works and to inform any mitigation, compensation and enhancement measures. Any future proposal will be eligible for mandatory Biodiversity Net Gain, and I would strongly advise the applicant to engage the expertise of a professional ecologist with BNG experience to ensure that any statutory BNG requirements can be met.

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

Further comment:

The application is now accompanied by a Preliminary Ecological Appraisal (J Denton, June 2024) and a Bat Emergence Survey (J Denton, June 2024). Following the identification of potential bat access, egress and roosting features (primarily the hanging tiles on the dormers), a single evening emergence survey was carried out. No bats were observed emerging from the dwelling and it is concluded that roosting bats are not currently present.

In terms of BNG, the proposed development meets to exemption for householder applications.

If you are minded to grant permission can I suggest that ecological avoidance and mitigation measures are secured by condition: this relates to the use of artificial lighting and its potential effects on bat species.

Development shall proceed in accordance with the ecological avoidance and mitigation measures detailed in the Preliminary Ecological Appraisal (J Denton, June 2024) and Bat Emergence Survey (J Denton, June 2024) unless otherwise agreed in writing by the Local Planning Authority. Reason: to provide ecological protection in accordance with the Environment Act 2021, Conservation Regulations 2017, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Core Strategy March 2011.

Engineering/Drainage

No comment received.

Environment Agency

No comment received.

Langstone Harbour Board

No comment received.

Natural England Government Team

No comment received.

Property Management (formerly County Estates Department) Hampshire County Council

No comment received.

Royal Society for the Protection of Birds

No comment received.

Southern Gas Network

Although SGN has a high pressure gas pipeline in the vicinity, the safety and integrity of our assets will not be affected by the proposal. However, should your proposal change please contact us immediately and we will re-assess.

The pipeline is of prime importance to the gas supplies of this area. It is essential that you comply with the restrictions detailed below and in the document SGN/WI/SW2 in order to protect our plant and equipment and for the safety of your own operatives. A SGN representative must be contacted before any works commence.

Arboriculturalist

Original comment:

TPO ref: 1284 and the Mill Lane Conservation Area protect trees at this site.

The proposal specifies the removal of several trees and tree groups. These are of low quality and their loss would not be harmful to the Conservation Area, although their loss would be visible from the Hayling Billy Trail. It would be reasonable to impose a soft landscaping condition requiring that the trees to be removed along the eastern boundary are replaced, to maintain/enhance the rural character of the Conservation Area.

Retained trees have been indicated as being able to be suitably protected through the construction process. If the proposal is permitted, a condition requiring the submission and approval of a detailed arboricultural method statement (covering aspects stated within para 2.5 Heads of Terms Summary, Barrells Arboricultural impact appraisal and method statement 24020-AIA2-PB) should be imposed.

The proposal will not have a significant impact on tree cover and offers an opportunity to enhance canopy cover. As such, we have no objection on arboricultural grounds.

Further comment:

TPO information:

The TPO itself dates back to 1986. The accompanying plan shows three trees in the area of the current proposal. These are T1 beech, T2 chestnut and T3 walnut. The plan was drawn before the existing building was built. I can find a single TPO application relating to these trees:

APP/15/00159 - Fell 1No. Walnut Tree (T3) and replace with similar species, subject to TPO 1284 - Permitted via appeal and subject to replacement planting.

I'm not sure what became of T1 or T2, but suspect that these were felled as part of an application to develop this site, potentially 90/50681/002 (docs not uploaded to review unfortunately).

There are other trees protected by that TPO but they are remote from the current proposal.

If resources allow, it would be worth reviewing this TPO so that the schedule and plan can be varied, the TPO revoked and/or replaced with a new one (if considered expedient to do so).

Tree felling / maples

Few additional comments but no change in overall recommendations.

The Proposed Site Plan shows trees to be retained contrary to the Tree Protection Plan. The Proposed Site Plan will need to be updated so that they are consistent.

The proposal states that "cypress trees and maple trees" will require removal. There are only two trees specified as 'maples', T12 and T13 (although T2 and T3 sycamores are technically maples). The Tree Protection Plan does not show these for removal although does advise that (T12 and T13) are of poor structural form, Category C trees, so not a major constraint. As stated in my original comments, tree removal should be subject to replacement planting via a soft landscaping condition.

Officer comment: *The report has been updated to accurately show which trees are to be removed, and a condition has been attached to the permission. The maples T12 and T13 are shown for retention.*

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: 13

Number of site notices: 1

Statutory advertisement: 17/05/2024

Number of representations received: 11

The 11 comments received have been summarised below.

Comment	Officer Comment
Supports: 9 received Summary of comments: • The design is high quality and would enhance the existing building • The design would improve the character of the area	Noted.

• Would not negatively impact other properties in terms of overlooking or light Objections: 2 received Summary of comments: • Concerns about overbearing • Concern about overdevelopment • Security concerns • Concern about loss of trees along Mill Lane leading to noise pollution and lack of privacy and removal of trees in general due to climate change concern • Concern of noise and air pollution from parking of vehicles	Noted, see section 7. The potential impact on security due to changes to the parking at the property is not a material planning consideration. The trees along Mill Lane are to be retained. The Heritage Officer and Tree Officer have not objected to the removal of trees on the site. Noise or air pollution that would result from the parking of vehicles on the site is considered limited and acceptable.
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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) Appropriateness of design and impact on the character of the area / trees
- (iii) Effect on neighbouring properties
- (iv) Flood risk
- (v) Ecology, bats and notable and protected species'
- (vi) Parking

(i) Principle of development

7.2 The application site is located within the defined urban area, therefore development is considered acceptable in principle subject to development management criteria.

(ii) Appropriateness of design and impact on the character of the Conservation Area / Trees

7.3 The proposal involves a front loggia extension, side garage extension, single storey eastern extensions with first floor balcony extension, following demolition of 52m² of existing single storey building and conservatory to east of existing dwelling, along with removal of existing 1.8m high brick wall to west of existing building. All additions and alterations are considered subservient to the main dwelling.

- 7.4 The dwelling is situated away from any public highway and is accessible from a private drive, meaning that there is little impact on the streetscene as a result of the proposal. The dwelling is, however, adjacent to the Hayling Billy Trail and within the Mill Lane Conservation Area. The proposals are sympathetic and in keeping with the host dwelling and the building is well screened within the plot and not highly visible within the public realm of the Conservation Area.
- 7.5 The Conservation Officer was consulted on the application and has stated that the works will improve the appearance of the dwelling as a whole, raising no objection but suggesting that where new materials are introduced, samples should be provided and agreed prior to the commencement of works. A condition has therefore been applied to require details/ samples of new materials. The new materials proposed are render and light blue timber cladding to the elevations and white uPVC conservation windows. The clay tiles to the roof and gravel to the vehicle access and hardstanding would be to match existing. Overall the proposal is considered to preserve the character and appearance of the Conservation area in accordance with S72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 7.6 The Tree Officer was consulted on the application and recommended that a condition requiring the submission and approval of a detailed arboricultural method statement (covering aspects stated within para 2.5 Heads of Terms Summary, Barrells Arboricultural impact appraisal and method statement 24020-AIA2-PB) should be imposed. It was also stated that the proposal will not have a significant impact on tree cover and offers an opportunity to enhance canopy cover, meaning there is no objection on arboricultural grounds. A condition has therefore been attached to the permission to ensure that any trees removed are replaced with new trees to preserve and enhance the character of the Conservation Area, and that the requested arboricultural method statement is submitted prior to commencement.
- 7.7 The design and appearance of the proposal is deemed appropriate in context to the main building and is therefore considered to be acceptable, meeting the requirements of Policy CS16 of the HBLP (Core strategy). It is considered that the scheme would not result in an adverse impact on the visual amenity of the locality.

(iii) Effect on neighbouring properties

- 7.8 To the south of the application site is the neighbouring dwelling No.4 Mill Lane. This dwelling is over 15m from the front elevation of the dwelling on the application site. Considering this, the development would be likely have a limited and acceptable impact on light, outlook and privacy. The front loggia and first floor balcony may provide some view of this neighbouring dwelling, but with windows on each dwelling mutually facing each other in a similar existing context, it is not deemed to present a materially significant loss of privacy, particularly given the distance. In addition, the proposal would not be overbearing on this property. In conclusion, any impact on this neighbouring dwelling would be limited and acceptable.
- 7.9 To the north of the application site is the neighbouring dwelling No.5 Mill Lane. The main dwelling is over 30m from the rear elevation of the dwelling on the application site. Due to this distance, any impact on this dwelling is considered to be limited and acceptable.
- 7.10 There are no additional windows to the West Elevation and impacts to properties in Harbourside are considered limited and acceptable.

7.11 Consequently, it is considered that the proposal will not appear overbearing or lead to a loss of light, outlook or privacy and would have limited and acceptable impact on the properties immediately adjacent to the application site and the properties opposite or to the rear, meeting the requirements of Policy CS16 of the HBLP (Core Strategy).

(iv) Flood risk

7.11 The application site is within Flood Zone 3. A flood risk assessment has been submitted as part of the proposal to detail mitigation considerations within the development with regard to flooding. It details that a new FFL for the new extension should be set no lower than the existing house FFL of 3.980m AOD, thus adhering to the EA standing advice for minor extensions.

(v) Ecology, bats and notable and protected species'

7.12 The Council's Principal Ecologist was consulted on the application due the potential for bats being located on the site. A Preliminary Ecological Appraisal (J Denton, June 2024) and a Bat Emergence Survey (J Denton, June 2024) were completed, and the Ecologist was satisfied that the development could go ahead without risk of harming native species'. A condition has been applied to the permission to ensure that development shall proceed in accordance with the ecological avoidance and mitigation measures detailed in the Preliminary Ecological Appraisal (J Denton, June 2024) and Bat Emergence Survey (J Denton, June 2024).

7.13 It is noted that the application site is within 50m of notable and protected species'; Butcher's-broom, Scabrous Feather-moss, Cetti's Warbler (Possible breeder, singing male). The proposal would not have a harmful effect on the species' due to the development being small scale.

(vi) Parking

7.14 There will be no increase in the number of bedrooms within the dwelling, and a parking space will be added within the proposed garage, meaning that the parking availability on site complies with the Havant Borough Council Parking SPD.

8 Conclusion

8.1 The proposed development is acceptable in principle, is appropriate in terms of design and its impact on the character of the Conservation Area, and would have a limited and acceptable impact on the neighbouring properties and ecology, subject to condition. On this basis it is recommended for approval.

9 RECOMMENDATION:

That the Head of Place be authorised to **GRANT PERMISSION** for application APP/24/00302 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:

UPLOADED 02 May 2024	24/101/P04	SITE PLAN
UPLOADED 30 Apr 2024	24/101/PO5	DEMOLITIONS
UPLOADED 25 Apr 2024	24/101/P01 Rev A	EXISTING AND
PROPOSED FLOOR PLANS		
UPLOADED 25 Apr 2024	24/101/P02	EXISTING AND
PROPOSED ELEVATIONS		
UPLOADED 25 Apr 2024	24/101/SURVEY	SITE SURVEY
UPLOADED 24 Apr 2024	24/101/L01	LOCATION PLAN
UPLOADED 22 Apr 2024	24/101/P06	SECTIONS
UPLOADED 22 Apr 2024	24/101/P03	ROOF PLANS
Heritage Statement PGP Architects March 2024		
Design and Access Statement PGP Architects April 2024		
Flood Risk Assessment Report Cowan Consultancy EG/424362 12th April 2024		
Bat Emergence Survey Dr Jonty Denton June 2024		
Preliminary Ecological Appraisal Dr Jonty Denton June 2024		
Amended Tree Protection Plan uploaded 16/08/2024		
Amended Arboricultural impact appraisal and method statement Barrell Tree Consultancy dated 15th August 2024		
Manual for managing trees on development sites v3.0 Barrell Tree Consultancy 2020		

Reason: To ensure provision of a satisfactory development.

- 3 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples or a full specification of the materials to be used externally on the building 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.

- 4 The tree felling for which consent is hereby granted along the eastern site boundary shall not commence until a detailed scheme and specification for replacement tree planting on an adjacent part of the site has been submitted to and approved in writing by the Local Planning Authority; such specification shall include details of the species and size of such replacement planting and the timing of the planting. 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 that the appearance of the development is satisfactory, to preserve and enhance the character of the Conservation Area and having due regard to policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 The development hereby permitted shall not commence unless and until a detailed arboricultural method statement (covering aspects stated within para 2.5 Heads of Terms Summary, Barrells Arboricultural impact appraisal and method statement 24020-AIA3-PB (dated 15th August 2024) has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that the construction process for the development will minimise any adverse impact on trees and therefore maintain the character of the Conservation Area, having due regard to policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 Development shall proceed in accordance with the ecological avoidance and mitigation measures detailed in the Preliminary Ecological Appraisal (J Denton, June 2024) and Bat Emergence Survey (J Denton, June 2024) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide ecological protection in accordance with the Environment Act 2021, Conservation Regulations 2017, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.