
Site Address:	38 The Kench, Ferry Road, Hayling Island, PO11 0DF		
Proposal:	Demolition of existing 3 bedroomed chalet / bungalow and replacement with new 3 bedroomed chalet / bungalow.		
Application No:	APP/20/00670	Expiry Date:	16/10/2020
Applicant:	Mr & Mrs Spraggs		
Agent:	Mr Murray	Case Officer:	Tina Pickup
	I J Murray Associates Ltd		
Ward:	Hayling West		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site comprises a modest bungalow, located in The Kench, on the northern side of Ferry Road. The Kench is a gated community, where bungalows and houseboats are occupied in connection with recreational and leisure use rather than as permanent dwellings. The site is owned and managed by the Hayling Health Society and the correct Notice has been served. Most of the units are small and generally flat roofed or low pitched, white or neutral painted and open plan, arranged in approximate rows around the communal site. The application site is set within the southern row of units where the rear of the bungalows back onto Ferry Road and it fronts onto the open grassed area in the centre of The Kench.
- 1.2 Number 38 currently has a low pitched roof with barn hip and has front, rear and one side, flat roofed additions. It is set within a row of other small units, number 37 to the north-west has a larger footprint but is flat roofed, and number 39 to the south-east is smaller but with pitch roof. At the north-western end of this row, the land rises beyond the access road, where number 34 and 33 have been replaced/renovated in a more contemporary style with slightly higher staggered roof heights, seen against the backdrop of the two storey dwelling Windsong which lies beyond The Kench site.
- 1.3 The site lies beyond the defined urban area and within the open countryside for Development Plan purposes, but The Kench is in itself a relatively dense pocket of developed area at the end of the peninsula. The site also lies within the Coastal Zone and Flood Zone 3 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).

2 Planning History

Under ref 16385 and 16385/1 number 38 had permission for extensions and additions in 1970 and 1981. There are no occupancy conditions appertaining to the site.

Of relevance elsewhere on the site:

At 34 The Kench:

APP/10/00778 Demolish existing bungalow. Construct 1No. single storey two bed detached bungalow. Refused 22/12/2010 for the following reason.

The proposed structure would by reason of its resulting height, scale, mass, design and siting and plot coverage result in an overdevelopment of this small plot leading to a visually intrusive development, detrimental to the informal coastal character of The Kench and the Ferry Road street scene. As such the development would be contrary to saved Policy D1 of the Havant Borough District Wide Local Plan 1996-2011, which

forms part of the Havant Local Development Framework and Planning Policy Statements 1 and 7.

APP/11/00272 - Replacement 2 bed bungalow with associated landscaping to front
The revised proposal reduced the height and bulk of the development, removing the existing fencing to visually create more space and proposed a more suitable finish in grey for gutter and roof details - Permitted 13/05/2011

No 33 The Kench: 01/65612/000 :

Demolition and re-building of a single storey two bedroom holiday home. Approved.

3 Proposal

Demolition of existing 3 bedroomed chalet / bungalow and replacement with new 3 bedroomed chalet / bungalow.

The proposal is for a contemporary style dwelling with asymmetrical roof, set off the ground on stilts. During the course of determining this application revised plans have been received lowering the overall height - see section 7 below.

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)
CS17	(Concentration and Distribution of Development within the Urban Areas)
DM13	(Car and Cycle Parking on Residential Development)
DM9	(Development in the Coastal Zone)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
DM23	(Sites for Brent Geese and Waders)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Havant Borough Pre Submission Local Plan 2036

E22	(Amenity and pollution)
E4	(Development on the Coast)
E1*	(High quality design)
H1*	(High quality new homes)
E3	(Landscape and settlement boundaries)
E19	(Managing flood risk in new development)
E14	(The Local Ecological Network)

Emsworth Neighbourhood Plan Post Examination Version 2020

N/a

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Building Control

None received

Community Infrastructure

CIL Liable. <http://www.havant.gov.uk/community-infrastructure-levy-charging-schedule>.

As this is a replacement dwelling the Solent Recreation Mitigation Strategy does not apply.

Crime Prevention

None received

Environment Agency

No Objection

The design of the replacement dwelling has significantly raised the Finished Floor Levels to 4.6mAOD thereby removing the level of risk from internal tidal flooding that the current dwelling would be exposed to as climate change increases sea levels.

Any occupants should sign up for the Environment Agency flood warning service at <https://www.gov.uk/sign-up-for-flood-warnings> .

Landscape Team

From a landscape perspective we have no adverse comments in relation to this application.

Langstone Harbour Board

No Objection but recommend demolition and construction works do not take place between October and March to avoid unnecessary disturbance to Langstone Harbours wintering bird population

Natural England

No Objection - Subject to Appropriate Mitigation

We consider that without appropriate mitigation the application could have an adverse effect on the integrity of Chichester and Langstone Harbours SPA/Ramsar; Solent Maritime SAC; Solent and Dorset Coast SPA; and all underpinning SSSIs.

In order to mitigate these adverse effects request a Construction Environmental Management Plan (CEMP) condition which should address the following impacts:

Storage of construction materials/chemicals and equipment;

Dust suppression

Chemical and/or fuel run-off from construction into nearby watercourse(s)

Waste disposal

Noise/visual/vibrational impacts

Visual screening (for SPA birds)

Species and Biodiversity Enhancement _

refer to standing advice; to enhance as recommended by NPPF recommend addition of bat boxes and/or bird boxes are secured as part of application

Waste Services Manager

None received

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: 23

Number of site notices: 1 Posted by applicant due to Covid restrictions

Statutory advertisement: Not applicable.

Number of representations received: 3

Comment	Officer Comment
2 neutral letters have been received on the original submission:	
Confirm that the Hayling Health Society agreed to this proposal on the basis that the floor level was a maximum height of 4.5AOD which equates with the floor height of No 34 which is referred to in the D&A statement	Noted
I have no objection to the application except to ask that the ffl level of the elevated platform does not exceed 4.5 AOD.and that this is confirmed in the consent. This is not clear on the drawing. Please note that the notice on Ferry road is undated so invalid?	Noted Site Notice was displayed correctly initially, date faded but still meets procedural requirements
1 further neutral letter has been received on amended plans:	
good that plans now show height correctly; vertical dimension of 150mm from ground level but no reference to agreed max of 4.5AOD for ffl	see section 7

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 upon the character and appearance of the area
- (iii) Impact upon residential amenity
- (iv) Flood Risk matters
- (v) Impact on ecology/wildlife
- (vi) Parking
- (vii) CIL

(i) Principle of development

7.2 The application site is located beyond the defined urban area and within the non-urban

area as identified by policy AL2. In these areas more restrictive countryside policies apply consistent with the NPPF. However as a replacement dwelling on a one-for-one basis, that does not materially intensify the use of the site, then the principle of the development is acceptable and in line with national policies and emerging policy E3.

- 7.3 The Kench has evolved over a long period primarily as a holiday park with mobile homes / park homes and structures that have become permanent over time. There are a mix of styles, ages and sizes that reflect the evolution and replacements that have taken place at the site over the years. The existing structure at no 38 is an extended older style property that by virtue of its pitched roof is already one of the higher units within the row it is located. Like many of the units on the site it is a second homes and operate as such. There does not appear to be any restriction on the all year round occupation of the existing building.
- 7.4 Given the informal low lying coastal character of the area which is part of the countryside it is important to consider the impact of development on its surroundings.

(ii) Impact upon the character and appearance of the area

- 7.5 The existing dwelling has a ridge height of 4.4m and is a relatively bulky structure. The original submission resulted in a height of 5m, but the amended plans have reduced this to 4.5m. The dwelling would be set on stilts such that it would be raised 1.4m from the natural ground level (for flood risk reasons) and use of a very shallow pitched roof has resulted in retaining the contemporary asymmetrical design but reducing height and bulk. Materials would be contemporary and use of grey cladding is indicated.
- 7.6 In this low lying coastal landscape the group of buildings making up The Kench are generally low key, unobtrusive seaside hut like chalets that contribute to the coastal setting. They successfully blend into the wider landscape. This particular plot is not overly prominent from Ferry Road, being sited some 10m from the highway and on this boundary there is a post and wire fence, bund and some natural hedgerow growth providing sporadic screening. Because the unit is not one of the fore shore plots, it is only really visible from within the site. It does sit in a row of similar older style units of similar height and would be the first to be replaced and modernised. Concern was initially raised that the gradual upgrading of these chalets with larger and higher structures would over time cumulatively urbanise the whole site and change the intrinsic character of the area.
- 7.7 The amended plans have reduced the overall height and bulk as much as possible, working to the minimum finished floor level set by the Environment Agency to achieve suitable flood risk taking into account climate change. The proposed dwelling will visually be at variance to its immediate neighbours due to the contemporary design on stilts. But its overall scale, profile and bulk is comparable to its neighbours. In the long run the other chalets will upgrade to take account of flood risk and this dwelling would set a good benchmark and parameters for achieving some architectural merit whilst not increasing height and mass unnecessarily. It has also been pointed out that the area under the chalet would be used for storage of kayaks/boats and other paraphernalia, resulting in a visual tidying of the site. No boundaries are proposed, retaining the open character of the plot, consistent with the whole site.
- 7.8 It is considered that the amended plans have successfully reduced the visual impact of the proposal from projecting above its immediate neighbours and would now sit more comfortably in relation to the adjacent development. Overall the impact on the wider landscape and character of The Kench site is considered acceptable from the

marginal increase in overall height proposed and would comply with policies CS11 and CS16.

(iii) Impact upon residential amenity

- 7.9 Care has been taken to include only high level windows on the side elevations to reduce any cross overlooking and protect amenity. The primary outlook would remain to the front but now include a 2.4m deep raised decked area. This front part of the site is communal and not private, and hence there would be little privacy difference to both future occupiers and neighbours, from the use of the existing ground floor front sitting out area compared to the raised decked area. It is also noteworthy that these chalets are generally used as second home, holiday accommodation and not primary living accommodation.

(iv) Flood Risk matters

- 7.10 It is the need to address flood risk issues at the site, taking into account climate change that has driven the design solution and for this development. In consultation with the Environment Agency the 1:200 + CC level for the lifetime of the development has been agreed at 4.45m AOD with a minimum freeboard requirement of 300mm, giving a FFL of minimum of 4.75 AOD. The amended plans reduced the finished floor level to this height. This represents a significant betterment over the existing dwelling and would provide a safer refuge for any residents at a time of flood. As such the Environment Agency raise no objection, and suggest occupants should sign up for the EA's flood warning service - this can be added as an Informative.

(v) Impact on Ecology/Wildlife

- 7.11 The site is located immediately adjacent several internationally designated nature conservation sites, including 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). A brent goose primary support area is also located immediately south of the site. In order to mitigate against any disturbance to birds and potential harm arising from noise, vibration, dust, chemical run off etc, it is recommended that no noisy construction work takes place during the over-wintering bird period and Natural England have requested a Construction Environmental Management Plan (CEMP) condition which the applicants have agreed to.
- 7.12 In terms of biodiversity enhancement NE also request the addition of bat boxes and/or bird boxes are secured as part of application. However emerging policy E14 only requires this when there is a net gain of one dwelling or more, and as a replacement this threshold to trigger the policy is not met. Therefore it is considered that this request be an Informative only.

(vi) Parking

- 7.13 There is currently no car parking provided directly on the plot and that remains the situation with the replacement dwelling. Parking appears to take place on communal areas. The net effect upon highway and parking implications is negligible.

(vii) CIL

- 7.14 As a replacement dwelling the development is CIL liable for the net increase in floor space. CIL forms have been provided and the increase in floor space is just 11sqm. No self build is being claimed as this is a second home, and will not be occupied as the main home. The Draft Liability Notice has been sent with a CIL amount of £1,640.18.

8 Conclusion

- 8.1 The amended proposal with reduced overall height is now considered to be more visually appropriate and in keeping with the adjacent chalets and overall would not harm the low profile coastal character of the landscape setting. Flood risk is improved at the site and with appropriate conditions the application is recommended for permission.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/20/00670 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:
Site & Location Plans Drawing Number A101.4
Floor Plans & Elevations Drawing Number A102.4
Site Sections & Building Views Drawing Number A103.4
Site Views Drawing Number A104.4
Proposed Floor Plan Drawing Number A106.4
Proposed Section Drawing Number A107.4
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 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 the supporting piers/stilts; elevations, roofing material including soffit and fascia, windows and doors and balcony railing and panel details. 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 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 at the foreshore) shall be undertaken on site within the bird over wintering period, from 1st October to 31st March inclusive.
Reason: To protect the habitats of the adjacent SPA, SSSI and SAC in accordance with the Habitats Regulations, National Planning Policy

Framework, and Policy CS 11 of the Havant Borough Local Plan (Core Strategy) March 2011.

- 5 No development shall take place until a Construction Environmental Management Plan (CEMP) specifying/addressing the following matters have been submitted to and approved in writing by the Local Planning Authority, in consultation with Natural England:
- (i) The provision to be made within The Kench site for contractors' vehicle parking during site clearance and construction of the development;
 - (ii) The provision to be made within The Kench site for the storage of construction materials/chemicals and equipment;
 - (iii) Dust suppression
 - (iv) Chemical and/or fuel run-off from construction into nearby watercourse(s)
 - (v) Waste disposal
 - (vi) Noise/visual/vibrational impacts
 - (vii) Visual screening (for SPA birds)
- Thereafter, throughout such site clearance and implementation of the development, the CEMP shall be adhered to at all times unless otherwise first agreed in writing with the Local Planning Authority.
- Reason:** To protect the European wildlife and nature conservation sites of the locality, having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 6 The development hereby permitted shall be carried out in accordance with the agreed levels, set at 4.45m AOD with a minimum freeboard requirement of 300mm, having a finished floor level of 4.75 AOD and remain so in perpetuity.
- Reason:** To ensure that floor levels are appropriate in order to reduce the flood risk to future occupants having due regard to Planning Practice Guidance to the National Planning Policy Framework and policy CS15 of the Havant Borough Local Plan (Core Strategy) 2011.