
Site Address: Tamarisk, Ferry Road, Hayling Island, PO11 0DG
Proposal: Variation of condition No. 2 of Appeal Planning Permission
APP/15/01355 to vary approved plans relating to change to proposed first floor
parapet, chimney and lowering of main roof height.
Application No: APP/18/00329 Expiry Date: 18/05/2018
Applicant: Mrs Montague
Agent: Mr Butler Case Officer: Daphney Haywood
 John Pardey Architects
Ward: Hayling West

Recommendation: **GRANT PERMISSION**

1 Site Description

The site lies in West Hayling at the western end of Ferry Road and whilst now cleared, previously comprised a vacant 2 bedroom single storey dwelling with a water frontage to the north. The plot 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 within the open countryside 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).

The previous bungalow sat back from the road on a long and narrow, slightly wedge shaped plot of some 0.07 ha. The plot which is currently being developed following the grant of permission for a replacement dwelling allowed on appeal, 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 there is 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

APP/11/00129 - Outline application for demolition of existing 2 bed dwelling and construction of a replacement 4 bed detached house. , WD,14/03/2011

APP/15/01355 - Demolition of existing dwelling and construction of new dwelling with associated landscaping and improvements to sea-defences (approved on appeal 17.01.2017). Request to Discharge Conditions 3 and 10 (19.06.2017).,

3 Proposal

Variation of condition No. 2 of Appeal Planning Permission APP/15/01355 to vary approved plans relating to change to proposed first floor parapet, chimney and lowering of main roof height.

1. **F i r s t f l o o r p a r a p e t**. It is proposed to reduce the brick parapet around the first

floor terrace to floor level and, soffits here are lowered by 2 brick courses (0.130m). Cantilevered glass balustrades (including the obscure glass privacy screen on the east side) will extend down to floor level. The top of the clear glass balustrades to the south and west sides only of the first floor terrace reduce in height by 200mm .

2. **Chimney** . The chimney rises by 0.4m in order to achieve a flue height of 4.5m to comply with Building Control.

3. **Main roof**. The parapet to the main roof is lowered by 0.20m on all sides. This change is achieved by reducing the roof build up and by reducing the floor to ceiling height throughout the first floor.

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)
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)

Listed Building Grade: Not applicable.
Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Building Control, Havant Borough Council

No comments

Chichester Harbour Conservancy

No comments received

Langstone Harbour Board

No comments 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: 37

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 0

Summary:

Comment:

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

(i) Principle of development

The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria. The principle for re-developing this site has been established by the appeal approval.

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

The footprint, floorspace and contemporary design approach are in accordance with the appeal proposal. Generally, the proposed changes involve a small reduction to the height of the building, and very modest changes to the form of the building, other than the chimney which is proposed to increase in height by 400mm. While this will make the chimney more prominent as it will sit above the existing roof lines, the impact is fairly limited and not considered to materially impact the character over and above that allowed on appeal.

(iii) Impact upon residential amenity

Other than the chimney which is proposed to increase in height by 400mm, the bulk of development adjacent the neighbouring property - The Deck House - is reduced. In respect to the chimney this is increased in height by 400mm. The Planning Inspector in respect to the appeal development noted in para 6:-

Whilst its height and massing would result in the flank wall of the proposal being assertive in appearance when viewed at an angle from the rear windows, balcony and amenity area of the Deck House, given the proposal's limited projection to the rear, I do not consider that this would be so significant so as to result in any unacceptable impacts in terms of either outlook or light.

and in para 10 considered:-

Whilst the flank wall of the proposed dwelling would be of a substantial size and would be an assertive feature when viewed from the neighbouring site, taking account of my

reasoning above, I do not consider that the resulting impacts on neighbouring living conditions would be unacceptable. Furthermore, the proposed chimney would not be of such a form or size to lead to any significant impact upon neighbouring residential amenity.

The proposed chimney remains of a similar form, and the increase in height is not considered to materially impact the amenities of the neighbouring property.

(vi) CIL and SRMP considerations

The CIL rates to be applied to development are set out in the Havant Borough Community Infrastructure Levy Charging Schedule, which was adopted by the council on the 20th February 2013. This followed two public consultation exercises and an Examination into the Charging Schedule by an independent Examiner. The Examiners Report concluded that the Havant Borough Council Community Infrastructure Levy (CIL) Charging Schedule provided an appropriate basis for the collection of the levy in the borough. The levy is charged at £100 per square metre on new floorspace (measured as gross internal area), plus indexing. Work has started on site, CIL paid and there is no additional floorspace, hence no additional CIL requirement.

This development would increase the number of dwellings within the 5.6km zone identified as significant in potentially increasing recreational pressure on the Solent SPA. Natural England's advice in regard all new housing development within this zone is that it is likely to have a significant effect on the SPA. The required payment has been paid under the previous permission and work has started on site, hence there is no additional contribution required.

8 Conclusion

The proposed changes are considered acceptable and approval is recommended.

9 **RECOMMENDATION:**

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-RevA

Proposed site plan 1505-PP-150 Rev A

Proposed ground floor plan 1505-PP-200-RevA.

Proposed first floor plan 1505-PP-201-RevA.

Proposed ground roof plan 1505-PP-202-RevA.

Proposed sections drawing 1505-PP-300 -Rev C

Proposed east and west elevations drawing 1505-PP-400 -Rev C

Proposed north and south elevations drawing 1505-PP-401-Rev C

Reason: - To ensure provision of a satisfactory development.

- 3 The external materials shall be as approved under Planning Permission APP/15/01355 and as set out on drawing No. 1505/SK01 unless otherwise agreed in writing by the Local Planning Authority

Reason: In the interests of the amenities of the area and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 The development hereby permitted 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 or phasing arrangements approved or within the first planting season following first occupation of the development hereby permitted, whichever is sooner. Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or 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 approved.

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.

- 5 The development hereby permitted shall not be occupied until details of the positions, design, materials and type of any boundary treatment, screens and retaining walls to be erected have been submitted to and approved in writing by the local planning authority and subsequently erected in accordance with the approved details. The approved boundary treatment, screens and retaining walls shall be subsequently retained

Reason: In the interests of the amenities of residents and the area 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.

- 6 The development hereby permitted shall not be occupied until means of vehicular access, vehicular parking and turning areas have been constructed in accordance with drawing number 1505-PP-150-Rev A of planning permission APP/1501355/. The access, parking and turning areas shall be thereafter retained

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

- 7 The rear balcony/first floor terrace hereby permitted shall not be brought into use until the 1.8m high screen to its eastern side has been erected in accordance with approved plans and as set out on Dwg no 1505-PP-400 Rev C. The screen shall thereafter be retained in accordance with the approved details.

Reason: In the interests of the neighbouring property and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 8 The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) October 2015 (reference 2398) prepared by Ambiental, including the proposed mitigation measures as set out in the FRA approved under planning permission APP/15/01355.

Reason: To ensure satisfactory development and having due regard to policy CS15 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 9 The development of the site shall be carried out in accordance with the approved Construction Environmental Management Plan (CEMP) prepared by John Pardy Architects dated 12 July 2017 and approved under application APP/15/01355.

Reason: To safeguard the amenities of the locality and having due regard to policies CS16, CS11, DM8 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.