
Site Address:	46 Sea Front, Hayling Island, PO11 9HL		
Proposal:	Demolition of existing detached property, garage and associated outbuildings and the construction of a terrace of 3No. (2No. 3bed and 1No. 2bed) town houses.		
Application No:	APP/18/00171	Expiry Date:	04/04/2018
Applicant:	Mrs Freeman		
	MW Property		
Agent:	Mr Lilley	Case Officer:	Tina Pickup
	Lilley Architecture Ltd		
Ward:	Hayling East		

Recommendation: **GRANT PERMISSION**

1 Site Description

The application site relates to an existing detached, substantial two storey dwelling located on the north side of the Sea Front, immediately to the east of the Olive Leaf PH. It is currently vacant and in relatively poor state of repair. It has a slate roof and cream painted double bay frontage with attached flat roofed side garage. The front garden area is overgrown and partly enclosed with low brick wall - the area in front of the garage is open tarmac. To the rear the dwelling has a large two storey flat roof addition and some outbuildings within the garden, which is overgrown. The plot tapers to the rear with the eastern boundary comprising high close boarded fencing and the western and rear boundary comprise a red brick wall.

To the east, No 44 is a very low profiled bungalow having a continuous sloping roof over an attached garage that sits almost abutting the shared boundary with the application site. Beyond the attached garage the bungalow recesses back and has 3 windows facing the application site. Beyond No 44 is a private drive serving 2 backland properties such that the curtilage of No 44a abuts the rear of the site. The application dwelling is sited hard up to the western boundary such that its blank side elevation forms the boundary with the pub car park and access. The pub also has a brick garage against the shared boundary with the pub garden with seating behind, located against the rear part of the application's western boundary.

The site is opposite the public beach car park and in a prominent position. Surrounding development is mixed - it is generally two storey, back edge of pavement to the west, increasing to three storey flats on the corner with St Andrews Road. To the east is the low bungalow and then two storey residential dwellings, set back with frontage gardens. Further to the east the area becomes more commercial with The Lifeboat pub and Rails Lane shops and Local Centre.

The site is located in Flood Zone 1.

2 Planning History

None relevant

3 Proposal

Demolition of existing detached property, garage and associated outbuildings and the

construction of a terrace of 3No. (2No. 3bed and 1No. 2bed) town houses.

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)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS21	(Developer Requirements)
CS9	(Housing)
DM13	(Car and Cycle Parking on Residential Development)

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

The final external covering/finish for the west elevation (at first floor level) to be 30 minutes fire resistant.

Community Infrastructure

A unilateral undertaking and accompanying payment will be required in respect of the Solent Recreation Mitigation Strategy.

The charge due will be based on 2 additional properties X no of bedrooms plus monitoring and administration fee.

This SRMP will be in addition to the CIL Liability (if permission is granted)

Crime Prevention

None received

Southern Water

No objection - formal application required for connection to public sewer and Informative requested; SUDS proposed which are not adoptable so long term maintenance arrangements necessary; drainage details must be submitted detailing responsibilities for SUDs management; If any sewer found during construction works then its condition will need investigating

Highways Engineer, Development Engineer

I have concerns with the length of continuous dropped kerb to access the six car parking spaces and the reversing into or out of the spaces over the footway used in

the summer by many visitors. Although it would be difficult to refuse this for highway safety reasons it may be possible for the Planning Authority to refuse on highway amenity and aesthetic/urban grain reasons (all the other properties along this side of Seafront are in large plots with turning on site)

Public Spaces

None received

Waste Services Manager

No concerns

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: 4

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
original block plan shows 3 garden sheds one of which would be against boundary with my front garden which is only 3m from lounge window and will look directly at this offending shed; should be repositioned where not obstructing views; fear that this northern bit of garden against my boundary will be dumping ground and used for waste bins - request conditions restricting use;	Noted - amended plans re-sited shed Would fall within private garden area of one of new dwellings so use of this land would be domestic
use of private drive already restricted views to west due to curve of road and vehicles parked outside 46 completely block view	Noted - Highway Engineer raised no objection

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) Highways and parking

(v) Drainage and flood risk

(vi) Contributions

(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 NPPF supports sustainable development with a balance required between the economic/social and environmental roles. The proposal would result in the net gain of 2 dwellings which would incrementally contribute to housing provision in the Borough.

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

The site is in a visually prominent location and is currently a dominant 'square' detached dwelling. Its profile is seen in relative isolation with the gap of the pub car park to the west and low profile bungalow to the west providing a spacious setting and skyline around. The proposed replacement building is designed in a modern beach hut style as a series of 3 gable fronted properties with first floor balconies. The western two would be 3 stories and following pre-app advice the eastern most unit would drop to 2 stories to better respect the relationship with the adjacent low bungalow. The existing dwelling has a ridge height of about 7.7m and the proposed scheme has a max height to tip of gables of 8.1m. Whilst this is a marginal increase the change to hipped ends reduces the overall apparent bulk of the proposed building's profile compared to the existing.

The siting of the proposed building would be set back some 3.4m further than the existing building to achieve frontage parking and visually this set back would further reduce any overbearing impact on the road frontage. Amended plans have been provided slightly pulling the elevations away from the western boundary to achieve an eaves overhang rather than concealed gutter/parapet which in design terms lowers the eaves line which in turn subtly reduces apparent bulk and provides a more balanced visual appearance. The siting would still maintain a separation distance of between 2.9m and 2m to the eastern boundary with the bungalow.

It is proposed to use light grey horizontal cladding, grey slates and off white render to the ground floor area. The 'beach hut' design concept is considered appropriate to the seafront location respecting the local context and would provide an appropriate identity to this tourist location. On balance the proposal is considered an appropriate high quality design solution that would enhance the appearance of the area in accordance with the NPPF and policy CS16.

(iii) Impact upon residential amenity

The overbearing impact and effect on daylight to the adjacent low profile bungalow was identified at pre-app and the submitted scheme has sought to overcome these previous concerns. The windows in the side of the bungalow have an outlook towards the site and one of these windows is the only light source to a bedroom. A separation of between 2m and 2.9m is achieved to the eastern boundary which results in a 5.5m separation of side to side elevation. To demonstrate adequate daylight a cross section showing the 25 degree sight line to the horizontal 2m above ground from the affected window has been provided (as required by para 5.09 of the Borough Design Guide SPD). The ridge height of the eastern 2 storey unit has been lowered such that it does not obstruct the horizontal >25 degree which indicates that good daylight levels would still be achieved to this room.

It is also noted that the remaining 2 windows in the side of the bungalow are sited beyond the rear elevation of the proposed building and would therefore have an open aspect. Furthermore the setting back of the building would provide a more open aspect from the

front main living room of the bungalow.

The proposal therefore complies with the Design Guide SPD in terms of retaining adequate daylight to neighbouring windows. There are no windows proposed for either side elevation and hence neighbouring privacy is also respected. No 44a to the rear is over 25m away from the proposed building and whilst there would be two rear windows at 2nd floor level these serve bathrooms and would be obscure glazed. In terms of future occupiers each dwelling would have a minimum of 10m garden, and whilst these are narrow, realistically the occupiers would benefit from the southerly sea views and amenity of the beach provided by the front balconies and sites location.

Overall the proposal is not considered to have any detrimental impact on the amenity of neighbouring residents and is compliant with the Borough Design Guide SPD and policy CS16.

(iv) Highways and parking

As 2 and 3 bed units two parking spaces are required to meet the Parking SPD and these are provided across the frontage of the site. Two of the spaces have been shown in tandem to reduce the intensity across the frontage and enable room for some modest landscaping and refuse bin lockers. The Highway Engineer has concerns over the continuous dropped kerb but not on highway safety grounds. The Sea Front is not a classified road and therefore the formation of an extended drive and dropped kerb would be permitted development if undertaken by the existing dwelling in connection with Class A development. The submitted plans indicate the proposed parking bays to be of contrasting materials to the surrounding pedestrian paths and this, together with the proposed flower beds, should provide sufficient interest and variation to the visual appearance of the frontage. Considering the expanses of hard surfaced frontages within the immediate area (Olive Leaf pub to west and Lifeboat Inn and shop area to east) then it would be hard to resist the proposal on highway amenity grounds.

Each unit has a cycle shed shown in the rear garden in accordance with the Parking SPD.

(v) Drainage and flood risk

The site is located within flood risk 1 where new residential development is acceptable in principle. Disposal of surface water is the responsibility of the applicant and Part H3 of the Building Regulations prioritises the means of surface water disposal in the order a) Adequate soakaway or infiltration system; b) Water course; and c) Where neither of the above is practicable a sewer. The submitted details indicate SuDs will be incorporated where possible - but no further details are provided at this stage. Since SuDs are not adoptable then further details of the drainage provision should be required via a planning condition, including the long term maintenance of the SuDs facilities.

(vi) Contributions

The development is CIL liable. The agent has completed the CIL planning form and a revised Assumption of Liability Notice submitted during the course of determining this application. However the figures stated are disputed with different internal floorspace calculated by the Officer. The existing dwelling to be demolished, plus outbuildings is calculated to have an internal floorspace of 178.21 sqm (forms state 222sqm) and the proposed development is calculated at 211.84sqm (forms state 222sqm). Based on Officer figures the net additional gross internal floor space will be 33.65 sqm and as such this will require a CIL payment of £4,536.74. A Draft Liability Notice has been prepared and sent using these figures. It is noteworthy that should the applicant or agent wishes to contest these figures they have a post decision right of appeal. Self build exemption has

not so far been claimed for any of the units - but if one of the units is to be occupied as a main residence by the applicant then a part self build exemption can be claimed at a later date.

NOTE - Since drafting this report the agent has realised the existing plans were submitted at the wrong scale and has re-provided accurate information. The revised plans indicate an existing internal floor area of 213.23 sqm. Since the proposed is 211.84 sqm there is no net gain in internal floorspace and therefore the development has a zero CIL liability.

This development would also increase the number of dwellings within the 5.6km zone identified as significant in potentially increasing recreational pressure on the Solent SPA. From 1st April 2018, the ('Definitive') Solent Recreation Mitigation Strategy) applies. The Strategy uses a sliding scale based on the number of bedrooms per dwelling to calculate the SRMP contribution. For this development the appropriate contribution of £1,200.20 has been paid which includes the admin and monitoring fee. The associated Unilateral Undertaking has also been signed and returned.

8 Conclusion

In conclusion the development is considered to be acceptable in principle. The replacement of this detached dwelling with 3 units in a 'beach hut' design is considered appropriate to the context and location without causing any harm to neighbouring amenity. Mitigation has been provided in relation to potential impacts on the SPA. The proposal would subject to conditions and details and have an acceptable impact on highways and the site is not subject to flood risk. It is therefore considered that planning permission can be recommended in this case.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/18/00171

(A) 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:

Location Plan DWG No: 409 PL01 rev 00
Block Plans DWG No: PL02 rev 02
Proposed Floor Plans DWG No: PL06 rev 02
Proposed Elevations - Sheet 1 DWG No: PL07 rev 02
Proposed Elevations - Sheet 2 DWG No: PL08 rev 02
Existing Floor Plans DWG No: PL03 rev 01
Design and Access Statement
Highways Statement by rgp dated October 2017

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) and the frontage hardsurfacing of the parking spaces and contrasting paths 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 No development hereby permitted shall be commenced until a more detailed soft landscaping scheme for the frontage planted areas as shown on Block Plan Dwg No: PL02 Rev02 has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify details of any containers/or bed edging and the positions, species and planting sizes of the shrubs to be planted and/or retained, and the timing provisions for completion of the implementation of all such landscaping works.

The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions. Any tree or shrub planted or retained as part of such approved landscaping scheme which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11.1, CS11.2, CS11.4, CS12, CS16, DM8 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 5 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.

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development permitted by Classes A, B, C, D and E, of Schedule 2, Part 1 of the Order shall be carried out without the prior written consent of the Local Planning Authority.

Reason: Any works to the scheme need to be carefully controlled given the limited plot sizes and proximity to the immediate neighbouring properties, in accordance with policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011.

- 7 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no additional windows / doors or other openings shall be constructed within the east or west side elevations without the prior written approval of the Local Planning Authority.

Reason: In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 8 No development hereby permitted shall commence until plans and particulars specifying the details of the proposed surface water drainage and any SUDs and sewers proposed to serve the same, have been submitted to and approved in writing by the Local Planning Authority. Such details shall include provision for the management of any SUDs in perpetuity and specify the responsibilities of each party for the implementation of the SUDS scheme; a timetable for implementation; and provide a management and maintenance plan for the lifetime of the development. Unless agreed otherwise in writing by the Local Planning Authority, the development hereby permitted shall not be brought into use prior to the completion of the implementation of all such drainage provision in full accordance with such plans and particulars as are thus approved by the Authority.

Reason: To safeguard the amenities of the locality and ensure that all such drainage provision is constructed to an appropriate standard and quality and having due regard to policies and proposals CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 9 No above ground development hereby permitted shall be commenced until further details of the cycle and garden stores and the refuse/recycling bin lockers have been submitted to and approved in writing by the Local Planning Authority. Such details shall include scaled plans and external material details. The approved details shall be implemented in full prior to the first occupation of the development and kept available for such uses in perpetuity.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11, CS16, and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.