
Site Address:	Seafield House, Woodgaston Lane, Hayling Island, PO11 0RL		
Proposal:	Repair and renew existing sea defences and slipway.		
Application No:	APP/17/00621	Expiry Date:	05/09/2017
Applicant:	Dr M Glasgow		
Agent:		Case Officer:	David Eaves
Ward:	Hayling East		
Site Visit Date:			

Recommendation: **GRANT PERMISSION**

1 Site Description

Seafield House, Woodgaston Lane, is located in the countryside at the eastern end of Woodgaston Lane. It contains a detached two storey dwelling.

To the north of the site is a field owned in part by the applicant. To the west is a dwelling similar in design to the applicant's property and to the east is a dwelling set further from the shore. The property has a south facing garden in excess of 60m deep which abuts Chichester Harbour Area of Outstanding Natural Beauty and the Nationally and Internationally designated Chichester Harbour.

The existing sea defences are in a poor state of repair with railway sleepers supported by posts. The sleepers have in some cases been lost or damaged and they have had boarding applied to the seaward side in an attempt to protect the sea defence.. The sleepers act to hold up a grass covered bank with a lower garden area beyond. There is a timber slipway projecting out onto the foreshore from the sea wall this appears to have already been replaced and this element of the application appears therefore to be partly retrospective.

The property to the west is currently implementing a new sea defence with vertical sleepers being utilised.

2 Planning History

05/50411/000 - Detached garage to north-west boundary., PERM,25/10/2005

APP/11/01362 - Pollard to 8m and shape in sides 1No. Oak tree within Group Order 12 of TPO 0567., PERM,07/10/2011

APP/11/01795 - Application to carry out tree works to include crown lifting and reduction of Oak trees and felling of small scrub Oak trees within Groups 10 and 12 of TPO 0567. Crown lift 1No. Oak tree (T40) to 5m on south east side, reduce by 4m on south east side and remove dead and crossing branches, subject to TPO 0567., PERM,11/01/2012

APP/16/00698 - Demolition of existing dwelling, and erection of 6 bed house with attached garage and boathouse. Installation of swimming pool and new terrace (approved 13.10.16). Request to discharge condition No/s 2, 3, 4 and 9 (07.04.17)., PERM,13/10/2016

APP/17/00229 - Non material amendment relating to removal of the chimney, extension to the porch and alteration to the south facing gable positioning., PERM,13/04/2017

3 Proposal

Repair and renew existing sea defences and slipway.

The works essentially relate to the removal of the existing sleepers and metal supports and their replacement on a like for like basis. The sea wall will be increased in height to 3.4m AOD. The slipway like for like replacement appears to have already taken place.

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)
CS12	(Chichester Harbour Area of Outstanding Natural Beauty (AONB))
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
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)
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Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist

There are mature trees along the eastern boundary property but they are far enough from the shoreline that no trees should be impacted by the proposed development, therefore no objection is raised.

Chichester Harbour Conservancy, The Harbour Office

The existing sea wall and wooden slipway are very dilapidated and are therefore in need of repair/replacement. The application lacks any detail or plans showing the proposed works; however, the supporting information appears to state that the works would be 'like-for-like' except that the height of the sleeper wall would be raised by up to 25cm. On this basis, and on the basis that the wooden slipway will also be replaced 'like-for-like' (i.e. no bigger than the existing structure), and on the basis that Natural England has raised no objection to the proposed works, we would have no objection. However, we would ask for suitable conditions as follows to ensure that the works do not cause disturbance or damage to the designated foreshore habitats or the Harbour environment:-

- The works are carried out outside the overwintering bird season (October to March inclusive);
- Contractors carrying out the work do so in accordance with a method statement which shall be submitted to and approved in writing by the Local Planning Authority, and are aware of the status and legal obligations attached to the designated sites

- covering the foreshore area adjacent to the proposed sea wall;
- that all materials, equipment and machinery will be stored in a compound within the curtilage of the property;
 - That the proposed timber sleepers will be untreated as stated in the application.

Coastal Engineering

Thank you for your consultation on the above application. I can confirm that the Eastern Solent Coastal Partnership (ESCP) have no objection to the proposed development.

The site is currently located within the Environment Agency's Flood Zone 2, and is therefore considered to be at risk of experiencing a 1 in 1000 year (0.1% annual probability) extreme tidal flood event. However, by the year 2055 the site is expected to be located within Flood Zone 3, and will therefore be at risk of experiencing a 1 in 200 year (0.5% annual probability) extreme tidal flood event. For information, the present day 1 in 200 year extreme tidal level for Chichester Harbour is 3.4mAOD, increasing to a predicted 4.5mAOD by the year 2115, due to the effects of climate change.

The overarching North Solent Shoreline Management Plan recommends a policy of 'Hold the Line' (maintain or upgrade the level of protection offered by the existing defences) for this frontage – NSSMP Policy Unit 5AHI03 Northney Farm to Mengham, for the next 100 years. This proposal is in line with the recommendation of the NSSMP for landowners to maintain their own private defences, and will see that the existing defences and slipway are replaced like-for-like.

Advice:

The applicant is advised to consult with the Marine Management Organisation (MMO) prior to undertaking the works to determine whether or not a Marine License is first required.

Countryside Access Team

Comment

We have no objection to this proposal, however we would expect **Havant Footpath 86**, which runs down the western boundary of the site, to remain open and free of obstacles throughout the construction period. We request that the applicant contact as soon as possible to discuss further, should this not be the case.

Informatives

Should permission be granted for this application, we request that the applicant is made aware of the following requirements through informatives:

1. **There must be no surface alterations to the right of way, nor any works carried out which affect its surface, without first seeking the permission of Hampshire County Council, as Highway Authority.** For the purposes of this proposal that permission would be required from this department of the County Council. To carry out any such works without this permission would constitute an offence under S131 Highways Act 1980, and we would therefore encourage the applicant to contact us as soon as possible to discuss any works of this nature.
2. Nothing connected with the development or its future use should have an adverse effect on the right of way, which must remain available for public use at all times.
3. No builders or contractors vehicles, machinery, equipment, materials, scaffolding or anything associated with the works should be left on or near the footpath so as to obstruct, hinder or provide a hazard to walkers.
4. If there is likely to be an effect on the footpath in terms of dust, noise or other obstruction during the period of the works, we suggest that a Health and Safety Risk

Assessment be carried out, and if there is deemed to be a risk to users of the footpath, the applicant should contact the County Council directly to discuss the Temporary Closure of the footpath for the duration of the works. Temporary Closure Orders should be applied for at least 6 weeks prior to the commencement of works and details of how to apply can be found at

<http://www3.hants.gov.uk/row/making-changes/temp-closures.htm>

5. All vehicles, including those of contractors and deliveries, which would be accessing the site via a public right of way, should give way to public users at all times.

6. Any damage caused to the surface of the public right of way by construction traffic will be required to be restored to the satisfaction of the Rights of Way Officer, to not less than its minimum width, on the completion of the build.

Officer Comment:

The closest right of way is located to the west of Langness the property to the west of the application site. it is not therefore considered that the proposed development would have any impact on the Public Right of Way.

County Ecologist

The application is not accompanied by any detailed ecological information and therefore I have undertaken my own non-exhaustive desk-based assessment using the application documents, GIS mapping and online resources. I note that Natural England have provided comments in relation to potential impacts to the adjacent Chichester & Langstone Harbours SPA/Ramsar and SSSI and the Solent Maritime SAC. NE are content that the proposed works would not present an unacceptable impact to the designated sites provided that the works are carried out as proposed and that materials, fuels and plant are stored within the site and away from the foreshore.

During a previous application on the adjacent site to the west (Langness, APP/14/00343) it became apparent that the grassland in this area is likely to support large populations of two interesting plant species, autumn lady's-tresses and green-winged orchid. At the Langness site, many hundreds of individual plants of both species were present, likely comprising one of the largest populations in the county. Although the proposed works are not likely to compromise the overall viability of the local orchid population, I would nevertheless recommend that care is taken to avoid unnecessary ground disturbance within the wider site itself. Measures used at Langness include a well-defined access route in and out of the site in order to localise soil damage/compaction. Individual plants will be most visible during flowering which is between April and June (GW orchid) and again in August/September (AL tresses). It may be appropriate to mark out any areas of high abundance to prevent damage. The use of some form of ground protection material (e.g. rubberised cell-web) would assist greatly in protecting the grass sward and soils.

Environment Agency

We can confirm that the Environment Agency has no objection in principle to the proposed development as submitted

Advice to Local Planning Authority (LPA) / Applicant:

The Environment Agency has no issues with this proposal so long as the crest level is maintained at 3.4mAOD as referenced with the Flood Risk Assessment submitted in support of the planning application.

Advice to Applicant

In addition to any other permission(s) that the applicant may have already obtained, e.g. planning permission, the applicant may need an Environmental Permit for Flood Risk Activities (formerly known as Flood Defence Consent prior to 06 April 2016) as

the applicant wants to carry out work in, under, over or near a main river and in the flood plain of a main river.

There are a number of elements of work which will require an Environmental Permit, such as the proposed new bridges, upgrading of existing bridges, resurfacing of existing right of way, proposed trees/planting and any other permanent or temporary works in under, over or within 16m of the Main River. For further information please visit:

<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

For any further advice, please contact your local Environment Agency FRA Permitting Office PSOEastSussex@environment-agency.gov.uk

Hampshire Wildlife Trust

No comments received.

Natural England Government Team

The proposed works are located within the Chichester and Langstone Harbours SPA, Ramsar Site and the Solent Maritime SAC. These nature conservation sites are also designated at a national level as the Chichester Harbour SSSI.

The proposed slipway and sea wall will be replaced on a like-for-like basis except for a 25cm increase in the height of the sleeper wall. The works will be undertaken outside of the bird overwintering period (October to March) and we would advise that this is a condition of any planning approval.

Natural England also advises that all contractors are made aware of the adjacent designated sites and associated legal obligations. In addition, all materials, equipment and machinery should be stored in a compound within the curtilage of the property, away from the designated sites.

Provided the works are carried out in strict accordance with the details of the submitted planning application, and in accordance with the above, Natural England has no objection to the proposed works.

Royal Society for the Protection of Birds

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: 4

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
<p>We write to inform you that we are very pleased to see this application and are very much in support of the principle of the work being carried out.</p> <p>We would however, like to bring to your attention some of the points which give us cause for concern and hopefully may produce a better end result.</p> <p>As has already been pointed out by others the application provides no information concerning the detail of the proposed structure. The height of the existing sea wall at this point, demonstrates that this is the most exposed section of seawall along the whole of Woodgaston Lane and does suffer a very long 'fetch' in South Easterly winds. It is therefore, vital that a properly engineered solution (as you have already approved for our adjoining property) is incorporated into any replacement works.</p> <p>The coastal engineering department are most helpful and knowledgeable in this respect.</p> <p>As a part of the above, the ends of the proposed wall need to demonstrate their compatibility with the adjoining structures in order to ensure the structural integrity of the proposal.</p> <p>Walings and Tiebars have been used in the Langness solution and we would expect the same principle to be used at Seafeld House. This would prevent differential movement between the two structures, particularly in the event of 'over topping' which seems to happen more and more frequently. In connection with the above, we would expect to see the means of escape, for overtopped water, demonstrated thus alleviating pressure from behind the wall.</p> <p>We believe that it is important to preserve a degree of uniformity in appearance of the sea wall and this could be achieved with vertical sleepers as per the Langness approved scheme.</p>	<p>Noted</p> <p>The works are essentially a 1 for 1 replacement of the existing structure with a slight increase in the height to meet flood risk requirements.</p> <p>The final details in relation to connection to adjoining sea defences are matters that should be discussed between the relevant parties.</p> <p>The proposals have been considered by the relevant bodies who have raised no objection in terms of the effectiveness of the proposals.</p> <p>The proposals are to like for like replace the existing sea defence and subject to a condition in relation to finishes are considered acceptable.</p>

<p>To the north of the property there are approximately seven fields, including our own, which are drained by ditch to an outfall which emerges through the area of the proposed new sea defence. We would like to be reassured that the whole of this drainage facility is properly surveyed and is not compromised in any way.</p> <p>Whilst recognising that the existing slipway, if rebuilt in exactly the same way might be a permissible action, we would respectfully suggest that a conscionable act would be to mitigate the effect of the slipway over the existing seabed, in favour of the natural wildlife. At this stage of planning it would be an easy revision to draw the slipway entirely within the curtilage of the site and add considerably to the natural habitat adjoining the premises.</p> <p>We wish to stress that this letter is written in a positive note of contribution to the process, comes with experience of the site and of the construction process required. We hope that you are able to approve a scheme, taking into account the foregoing.</p>	<p>As a like for like replacement existing drainage should remain unaltered.</p> <p>The slipway replacement is considered acceptable by Natural England and the County Ecologist.</p>
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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) Impact upon the character and appearance of Chichester Harbour Area of Outstanding Natural Beauty
 - (iii) Impact upon the International and National designations for habitat and wildlife applicable to Chichester Harbour and protected species.
 - (iv) Flood Risk issues
 - (v) Impact on trees
 - (vi) Other matters
- (i) Principle of development
- 7.2 The proposal relates to the replacement of an existing sea defence which is in a deteriorating state of repair and its replacement with a new sea defence and slipway of the same design excepting a slight increase in height. Subject to the sea defence meeting the requirements of the EA and coastal engineers and meeting the other requirements set out below it is considered that such works are acceptable in principle.

(ii) Impact upon the character and appearance of Chichester Harbour Area of Outstanding Natural Beauty

- 7.3 The works are required to improve the existing deteriorating sea defences and are designed to be faced with untreated timber which is not untypical of sea defences around the harbour. The development has been considered by Chichester Harbour Conservancy who raise no objection to the proposals subject to a timing of works and other conditions, and are supportive of works as they aid the effectiveness of sea defences in the area. It is considered that the proposals would have a limited and acceptable impact on the character and appearance of the Area of Outstanding Natural Beauty.

(iii) Impact upon the International and National designations for habitat and wildlife applicable to Chichester Harbour and protected species.

- 7.4 The site is located adjacent to Chichester Harbour SPA/SSSI/Ramsar sites and Site of Special Scientific Interest (SSSI). This SSSI is part of the Chichester and Langstone Harbours Special Protection Area (SPA)/Ramsar and the Solent Maritime Special Area of Conservation (SAC). These areas are of national and international importance for nature conservation. As such the Local Planning Authority has consulted Natural England, Hampshire County Council Ecology and Hampshire & Isle of Wight Wildlife Trust.
- 7.5 Natural England has confirmed that subject to the imposition of planning conditions they have no objections to the proposed works. The conditions required relate to the timing of works, construction compound and instructing the contractors of the sensitivity of the site. Conditions and informatives are recommended to cover these matters.
- 7.6 In terms of on site protected species, the County Ecologist has commented in relation to orchid species likely to be present on the site. A condition is recommended in relation to construction minimising potential impacts.
- 7.7 Subject to appropriate conditions, the development is considered to have no significant impact on adjacent designated sites or on site protected species.

(iv) Flood Risk issues

- 7.8 In relation to flood risk, the area has in the past been subject to sea flooding. The Environment Agency and the Coastal Engineers have considered the proposals which raise the flood defence to 3.4AOD and have confirmed that they have no objections to the works in relation to flood risk. This raised height is consistent with the recent planning approval at Langness. It is therefore considered that the works are acceptable in relation to flood risk and should improve the existing sea defence. A condition to ensure the height of the defence is achieved is recommended; as is one requiring further details of the junctions between the new sea defences proposed and existing adjoining sea defences at Langness and Shallows (to prevent any gaps or weaknesses in the overall sea defence at this point).

(v) Impact on trees

- 7.9 The Councils Arboriculturalist has confirmed that the trees on the wider Seafeld House site would not be impacted by the proposals.

(vi) Other matters

- 7.10 The proposed development may require other consents in addition to planning permission. An Environmental Permit for Flood Risk Activities may be required from the EA and a licence may be required from the Marine Management Organisation. A works licence may be required from CHC. Informatives are recommended to be added to the Decision Notice.

8 Conclusion

- 8.1 In conclusion, the principle of flood defence works are considered acceptable. The works would have an acceptable impact on Chichester Harbour Area of Outstanding Natural Beauty. Given the sensitive nature of the site in relation to wildlife and international and national designations the application has been scrutinised in detail and conditions are recommended to ensure the development would not be harmful to ecological interests.
- 8.2 The works would improve the existing sea defence in terms of flood risk and are considered acceptable by the EA and Coastal Engineers.
- 8.3 In the light of the above assessment planning permission can be recommended subject to the conditions set out below.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/17/00621 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 received 9th June 2017
Block Plan Unique plan reference #00230684-B54346
Supporting Information received 9th June 2017
Photographs dated 7th June 2017
Reason: - To ensure provision of a satisfactory development.
- 3 Prior to the commencement of development further details shall be submitted to and approved in writing by the Local Planning Authority of the proposed junction designs of the new sea wall with adjoining sea defences at Langness and Shallows. The development shall thereafter be carried out in accordance with the approved details.
Reason: To ensure the integrity of the new sea wall as part of the wider sea defences in the locality and having due regard to policy CS15 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 4 Prior to the commencement of development a construction management plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in accordance with the approved plan which shall set out as a minimum the following matters:
- Methods for ensuring that works with machinery take place from outside the designated SSSI/SAC/SPA and Ramsar sites;
 - Methods for ensuring that the proposed construction works and machinery access shall take place so as to reduce the potential impact of the works to on site orchid species;
 - Details of a compound for materials, equipment, fuels and machinery storage in a location away from the designated SSSI/SAC/SPA and Ramsar sites;
 - Confirmation of instruction to contractors as to the need to carry out works in strict accordance with the CMP.
- Reason:** To ensure that the impact of the construction works in relation to designated SSSI/SAC/SPA/Ramsar sites and to on site orchid species is adequately addressed and having due regard to policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 5 No percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbA max) shall be undertaken during the bird overwintering period from 1st October to 31st March inclusive unless otherwise agreed in writing by the Local Planning Authority in consultation with Natural England.
- Reason:** To ensure that the development does not have a harmful impact on protected overwintering birds having due regard to policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 6 The timber work to the sea wall and slipway hereby approved shall be untreated in accordance with the submitted details.
- Reason:** In the interests of the character and appearance of the harbourside and Chichester Harbour AONB and to protect the designated SSSI/SAC/SPA and Ramsar sites having due regard to policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.