
Site Address:	22 The Kench, Ferry Road, Hayling Island, PO11 0DF		
Proposal:	Retention of cladding to bungalow, re-instatement of locker on east side of property, and strengthening of existing seawall with pier/steps from site to beach.		
Application No:	APP/22/00047	Expiry Date:	11/04/2022
Applicant:	Mr Spraggs		
Agent:		Case Officer:	Tina Pickup
Ward:	Hayling West		

Recommendation: **GRANT PLANNING PERMISSION IN RETROSPECT**

1 Site Description

- 1.1 The application site comprises a modest, single pitched bungalow, having a flat roofed addition, 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 managed by the Hayling Health Society who also have the freehold of the site, including part of the foreshore, and following some initial clarification with the siting of the steps on the beach beyond the applicant's leasehold, the correct Notice has now been served (see section 7 below).
- 1.2 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. Number 22, the application site, is located immediately adjacent the northern foreshore and sea wall, and has a slipway to its immediate east.
- 1.3 This application is retrospective, following enforcement enquires. The site was originally clad in white plastic cladding that was worn and cracked. The entire bungalow has now been clad in a softwood pine cladding, impregnated with resin - it is currently a fresh wood colour but will fade and turn silver over time. The land around the bungalow has also been hard surfaced, with the sea wall strengthened, new steps down to the slipway provided, a low locker fitted against the east side elevation (also clad in matching wood), and some fence and railings erected against the slipway. In addition concrete steps have been provided from the northern sea wall down to the beach.
- 1.4 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

HWU 01256 - erection of a week-end bungalow on site 6 at The Kench (now number 22).

Permitted on 27/11/1950 with condition limiting to "week-end living accommodation" for a limited period terminating on 31/12/1960.

HWU 01335 - erection of a week-end bungalow on site 6 at The Kench (now number 22).

Permitted on 30/04/1951 with condition limiting to "week-end accommodation" for a limited period terminating on 31/12/1960.

Under ref 15723 and 15723/1 chalet number 22 had permission for extensions and additions in 1963 and 1971.

3 Proposal

Retention of cladding to bungalow, re-instatement of locker on east side of property, and strengthening of existing seawall with pier/steps from site to beach.

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)
DM9	(Development in the Coastal Zone)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Emsworth Neighbourhood Plan Post Examination Version 2020

[n/a](#)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 **Statutory and Non Statutory Consultations**

Environment Agency

As the development does not result in any increase in flood risk **we do not have an objection** to the development. However, it should be noted that the property remains vulnerable to flooding, and without a detailed 'Flood Risk Assessment' (FRA), it must be assumed that the standard of protection to the site has remained constant.

Advice provided appertaining to flood resistance and resilience measures; rescue/evacuation/emergency plans; use of flood warning system

Langstone Harbour Board

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: 4

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 0

Comment	Officer Comment
None received on the merits of the case	

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) Validation of application and Principle of development
- (ii) Appropriateness of design and impact on the character of the area
- (iii) Effect on neighbouring properties
- (iv) Impact on Ecology/wildlife
- (v) Flood risk

- (i) Validation of application and Principle of development

7.2 The validation of the application was queried by a third party as initially the steps to the foreshore were outside the red line, with the ownership of this beach area un-known. Following discussions with extracts of the Land Registry details provided, it transpired that the Hayling Health Society owns up to the Mean High Water Mark and this has been confirmed as including the area of the 'beach' upon which the steps are located. Therefore a revised red line and correct Certificate B was subsequently submitted and Notice served, making the application valid.

- 7.3 It was also queried whether the Marine Spatial Planning System was triggered in this instance, but this covers development within the sea up to the Mean High Water Mark; and therefore reliance on the terrestrial planning system which covers down to the Mean Low Water Mark is appropriate in this case.
- 7.4 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 policy AL2 allows for small scale householder development within the non-urban area and as such the proposal is considered acceptable in principle.
- 7.5 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. Other than the provision of the low locker on the east elevation, this application does not enlarge the existing chalet and therefore does not alter its silhouette; it simply alters its external appearance through the application of timber cladding. Given the informal low lying coastal character of the area which is part of the countryside, it is important to consider the visual impact of this change in materials on the surroundings.

(ii) Appropriateness of design and impact on the character of the area

- 7.6 This particular chalet is sited within a row directly facing the sea, but the size and silhouette of the chalet has not altered and remains appropriately low profiled and of an appropriate visual scale when viewed from the water. Arguably the use of darker more muted colours reduces the starkness of development along the coast. Therefore in landscape impact terms, the long distance views from the water of the darker wooden colour finish is considered visually subdued and appropriate. Equally the original white colour, which matched others in the vicinity, did not have any adverse impact on the wider landscape.
- 7.7 However when viewed from within The Kench site, ie from the south, the darker wooden colour was initially quite dominant and at odds with the predominantly white and pale colours of chalets in the vicinity. But the natural wood has been treated with resin and will fade naturally to a silver colour and will in the long term blend more sympathetically with the adjacent chalets.
- 7.8 The concrete step that has been constructed effectively on the beach, exactly matches others built by adjacent chalets. At high tide the step is completely submerged. Its visual appearance at low tide is compatible with others and appropriate for the shingle foreshore.
- 7.9 Overall it is considered that the long term silvered natural colour of wood will be appropriate to both the immediate setting of the site and neighbouring chalets, as well as having a neutral effect on the wider landscape when viewed from the water. The design and appearance of the retrospective proposal is deemed appropriate in context to the site and is therefore considered to be acceptable, meeting the requirements of Policies CS11 and CS16 of the HBLP (Core Strategy).

(iii) Effect on neighbouring properties

- 7.10 The renewal of the external appearance of the site, and provision of low locker has no adverse effect on overshadowing or overlooking to adjacent residents; the only change is the outlook onto the site which is arguably improved from its tidy and modern appearance.
- 7.11 Consequently, it is considered that the proposal will not appear overbearing or lead to overlooking 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). It is noted no letters of objection were received with respect to the scheme.

(iv) Impact on Ecology/wildlife

- 7.12 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). The works have already taken place (and would have been small scale) and hence the normal requirement to minimise construction noise and vibration disturbance during the over-wintering period is irrelevant. The finished development and colour of material would not undermine the conservation aims of these designations nor affect the protected species (largely wader birds).

(v) Flood Risk

- 7.13 The site falls within Flood Zone 3 but the minor nature of the development that does not alter the finish floor levels or habitable footprint of the existing chalet, would not alter the flood risk of future occupiers. The Environment Agency raise no objection but provide advice regarding flood resistance and resilience measures; rescue/evacuation/emergency plans; and use of flood warning system etc. An informative can be added to this effect.

8 Conclusion

- 8.1 This retrospective planning application, and in particular the use of wooden cladding, which will fade over time, is considered to have limited and acceptable impact on both the wider landscape setting and that of The Kench in general, with no adverse impacts to immediate neighbours, and is therefore considered to be appropriate. As a retrospective application no conditions are considered necessary other than the ongoing compliance with plans condition.
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9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PLANNING PERMISSION IN RETROSPECT** for application APP/22/00047 subject to the following conditions

- 1 The development hereby permitted shall be retained in accordance with the following approved plans:

Amended Location Plan on Council's website dated 16 February 2022

Amended Block Plan on Council's website dated 16 February 2022

Steps detail on Council's website dated 31 January 2022

Locker details on Council's website dated 31 January 2022

Cladding details on Council's website dated 31 January 2022

Bungalow Photos and Statement on Council's website dated 31 January 2022

East Elevation on Council's website dated 31 January 2022

North Elevation on Council's website dated 31 January 2022

Reason: To ensure provision of a satisfactory development.