
Site Address:	Langstone Sailing Club, Langstone Road, Havant, PO9 1RD		
Proposal:	Proposed ground floor extension on North West elevation, with decking area above and railings, to form a junior training room.		
Application No:	APP/21/00585	Expiry Date:	13/07/2021
Applicant:	Mr Watterson		
Agent:	Mr White	Case Officer:	Selina Donophy
Ward:	St Faiths		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site comprises a modern two storey detached building used as the clubhouse for the Langstone Sailing Club and associated boat storage situated on a generous plot on the western side of Langstone Road adjacent to Langstone Bridge. The clubhouse is at a lower level to the road and has a grey slate mono-pitched roof and pitched roof and elevations of red multibrick, cream painted render and dark grey tile hanging and cladding.
- 1.2 Langstone Harbour surrounds the site to the south, east and west and there is a detached property to the north of the site, in excess of 150 metres away from the clubhouse. The area is of low to medium density with detached, semi-detached and terraced properties of similar and different age style and design together with the Ship Inn public house, a Listed Building. The site lies to the south and west of parts of the Langstone Conservation Area. The site also lies within the Coastal Zone and Flood Zones 2 and 3 and is 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

00/59318/003 - Variation of condition 6 of Planning Permission 00/59318/002 to exclude existing timber boat shed from demolition, PERM,22/09/2000
00/59318/002 - Single storey extension containing a Boathouse and store and terrace on roof, PERM,13/06/2000
00/59318/001 - Revetment repair and works to a 50 metre strip of shore line, PERM,01/06/2000
96/59318/000 - Demolition of boat shed and former club house and construction of 2 storey extension to north elevation of existing club house, incorporating lookout tower which extends to 3 storey and 1st floor balcony extension., PERM,06/03/1997
APP/11/01093 - Erection of two storey extension on west elevation., PERM,26/08/2011
APP/12/00039 - Construction of shared use pedestrian/cycle path from south terminus of Hayling Billy Trail (opposite The Ship Inn) to existing cycleway on west side of Langstone Bridge., PERM,02/04/2012
APP/19/00032 - Proposed first floor extension to north west corner of Sailing Club to provide office and provision of solar panels to west facing roof slope., PERM,27/09/2019

3 Proposal

Proposed ground floor extension on North West elevation, with decking area above and railings, to form a junior training room.

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)
CS17	(Concentration and Distribution of Development within the Urban Areas)
DM3	(Protection of Existing Employment and Tourism Sites)
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)

Submission Version Havant Local Plan

Emsworth Neighbourhood Plan Post Examination Version 2020

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

5 Statutory and Non Statutory Consultations

Chichester Harbour Conservancy

The adopted guidance requires a clear demonstration that no harm is caused to the AONB. The site is location within the countryside area within the AONB.

The positioning of the proposal would have a localised impact on the character and appearance of the site and the immediate surrounds. The proposal would not be intrusive or harmful to the local AONB protected landscape. The proposal would have a limited visual impact on the wider AONB protected national landscape character. CHC has no objection to the submitted proposal.

The development proposal in the AONB would be unlikely to have any identifiable harmful impact on matters of ecology, biodiversity, or wildlife habitat, hibernation, foraging, mating, or spawning / nesting / rearing areas. The proposal is unlikely to have any significant impact or effect on the AONB in relation to wildlife conservation and protection. CHC has no objection in this regard.

The planning application will be considered by the LPA in terms of other aspects applicable to the planning merits of the proposal, such as any overlooking impact to neighbouring property and spaces, any perceived loss of privacy, any equated loss of light and cause of shadowing, noise generation and disturbance, traffic generation and on-site parking provision, and in terms of overall good building design and land-use neighbourliness.

Conservation Officer

The proposed extension would be subservient in scale to the host building and would be sympathetic to the existing design. The balcony area would match with that of the existing on the building. The proposed materials are suitable for use.

Overall it is considered that the proposal would meet the test of the Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the relevant national and local planning policies.

Conclusion

No Objection

Councillor Imogen Payter

No comment

Councillor J Branson - St Faiths

No comment

Councillor T Pike - St Faith's

No comment

Engineering/Drainage

No response received

Environment Agency

No response received

Langstone Harbour Board

I refer to your letter dated 10 June 2021 and the detailed drawings viewed on the Havant Borough Council website concerning the above planning application.

The Board's Planning Sub Committee has considered this application and has **no objections** to the proposals.

Natural England Government Team

Initial consultation response

Thank you for consulting us on the above application. Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

No objection subject to mitigation

We consider that without appropriate mitigation the application would have an adverse effect on the integrity of Chichester and Langstone Harbours Special Protection Area <https://designatedsites.naturalengland.org.uk/>

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:

- A Construction Environmental Management Plan

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures. This detail should be included in the Appropriate Assessment to ensure there is no adverse impact from the construction work on the adjacent designated sites.

Natural England's further advice on designated sites and advice on other natural environment issues is set out below.

Habitat Regulations Assessment

The consultation documents provided by your authority do not include information to demonstrate that the requirements of Regulations 63 and 64 of the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 have been considered by your authority, i.e. the consultation does not include a Habitats Regulations Assessment.

In advising your authority on the requirements relating to Habitats Regulations Assessment, it is Natural England's advice that the proposal is not necessary for the management of the European

site. Your authority should therefore determine whether the proposal is likely to have a significant effect on any European site, proceeding to the Appropriate Assessment stage where significant effects cannot be ruled out.

Please note that, recent case law ('Sweetman II') outlines that mitigation measures should not be assessed through a Habitats Regulations Assessment (HRA) to 'screen out' impacts at the stage of considering Likely Significant Effects (LSE), rather avoidance / mitigation measures should be considered through an Appropriate Assessment. Therefore in this case, as mitigation measures are proposed to avoid a likely significant effect your authority's HRA will need to include an Appropriate Assessment under Regulation 63(1) of the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. Please note Natural England are a statutory consultee for Appropriate Assessments and should be re-consulted once your authority has completed its HRA.

Construction impacts

The application is adjacent to Chichester and Langstone Harbour Special Protection Area and has potential to impact during the construction phase of the proposals. As a result, Natural England advise that best practice measures are adopted during construction to limit noise and visual disturbance to the adjacent sensitive habitat. We note that the application is supported by Construction Environmental Management Plan (CEMP) this should be submitted to and approved in writing by the district ecologist. The CEMP should identify the steps and procedures that will be implemented to avoid or mitigate constructional impacts on the adjacent Chichester and Langstone Harbours SPA, Ramsar and the SPA's functional land mentioned above.

The CEMP should address the following impacts:

- Noise/visual/vibrational impacts
- Visual screening (for SPA birds)
- Storage of construction materials/chemicals and equipment;
- Dust suppression
- Chemical and/or fuel run-off from construction into designated sites
- Waste disposal.

The CEMP should ensure there is 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) to be undertaken during the bird overwintering period (i.e. October to March inclusive). The sensitive receptor is the nearest point of the SPA or any SPA

supporting habitat (e.g. high tide roosting site).

This detail should be included in the Appropriate Assessment to ensure there is no adverse impact from the construction work on the adjacent designated sites and its functional land.

Protected species

Natural England has not assessed this application and associated document for impacts on protected species. Natural England has produced standing advice to help planning authorities understand the impact of particular developments on protected species. We advise that the standing advice is interpreted for you by your district ecologist, or an equivalent independent party with the necessary expertise. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

Case Officer comment : Further comment from Natural England following submission of the HRA

Natural England notes that your authority, as competent authority under the provisions of the Habitats Regulations, has undertaken an Appropriate Assessment of the proposal, in accordance with Regulation 63 of the Regulations.

Natural England is a statutory consultee on the Appropriate Assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions.

Provided the measures outlined in the CEMP are fully secured and implemented, Natural England is satisfied that the applicant has mitigated against the potential adverse effects of construction noise and visual disturbance on the integrity of the European site(s).

Natural England have no further comments on the rest of the appropriate assessment.

Ecology

Thank you for consulting me on this application.

The proposed works are relatively minor in nature and the only potential ecological impacts will arise from construction noise and visual disturbance. The submitted Construction Environment Management Plan (CEMP) contain sufficient detail to address potential issues arising from the construction period. The measures detailed within the CEMP should be implemented in full.

If you have any queries please don't hesitate to contact me.

Royal Society for the Protection of Birds

No response 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: 0

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 0

Comment	Officer Comment
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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 the area and the AONB
- (iii) Impact upon residential amenity
- (iv) Flood risk
- (v) Ecology
- (vi) Parking

(i) Principle of development

The Council has conducted a Habitats Regulations Assessment (HRA) of the proposed development under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, this includes an Appropriate Assessment under Regulation 63. This is included in the case file.

Recreational Pressure

7.2 The proposed development is within 5.6km of Chichester & Langstone Harbours SPA/Ramsar. However, the application in question does not represent a net increase in population as the development consists of a first floor extension to the existing sailing club, which is neither connected to nor necessary to the management of any European site. As a result, there would be no likely significant effect to the Chichester & Langstone Harbours SPA due to recreation.

Water Quality

7.3 The proposed development is within the catchment of a wastewater treatment works that would drain into the Chichester and Langstone Harbours SPA/Ramsar and Solent Maritime SAC. However, as the proposal would not result in an increase in residential housing or overnight accommodation there will be no likely significant effect as a result of an increase in nutrients entering the Solent's European sites.

7.4 Regarding construction impacts, a revised CEMP was submitted on 4th of June and having considered this and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England have advised that they concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any permission given.

Overall conclusion

- 7.6 Natural England advises that the appropriate assessment concludes that the LPA is able to ascertain that the proposal will not result in adverse effects on the integrity of the site in question.

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

- 7.7 This proposal comprises a ground floor , flat roof extension located on the west side of the sailing club building. The extension would create a training room, with the flat roof used as a terrace, accessed via doors to the west and south elevations. The extension would have a width of approximately 4.1 metres, a depth of 8.2 metres and a height of 2.4 metres - there would be steps on the south elevation allowing external access to the flat roof of the extension which would be used as a roof terrace as well as providing acces to the existing roof terrace/deck sited towards the south. There would be balustrading to the roof to match existing and brickwork to match the brickwork of the existing extension.
- 7.8 The proposed extension is judged to be modest in scale and design and is generally in keeping with the existing building which has already been extended in the past. The extension would project slightly beyond the existing extension however this would not result in much encroachment into the open space to the side where the boats are currently stored. The materials would be in keeping with materials already used and the proposed roof terrace would be in continuance of the existing terrace, a feature that is not out of place in a harbour side setting such as this.
- 7.9 The Chichester Harbour Conservancy has been consulted in regards to this application due to the close proximity to the AONB - the building itself is located just outside of the AONB which begins on the other side of Langstone Road. The Chichester Harbour Conservancy has raised no objection to this proposal in terms of impact on the AONB. The Langstone Conservation Area is sited either side of Lagnstone Road and the site itself is not within the Conservation Area however due to its close proximity the Conservation Officer has been consulted and has responded with no objection to the proposal. In conclusion the proposal is considered to conserve the character and setting of the AONB and adjacent Conservation Area and the proposal accords with policies CS11 and CS16 of the Havant Borough Local Plan.

(iii) Impact upon residential amenity

- 7.10 The proposed extension is not deemed to cause any harm to neighbour amenity- there are no residential dwellings in close proximity to the site .

(iv) Flood risk _

- 7.11 The site is within Flood Zones 2 and 3. The agent has submitted a flood risk assessment to confirm that appropriate flood risk measures have been considered. The development therefore meets the requirements of policy CS15 of the Havant Borough, Local Plan (Core Strategy).

(v) Ecology _

- 7.10 The proposed works are relatively small-scale, however they are immediately adjacent to highly-sensitive marine habitats supporting internationally-important breeding and wintering bird species as well as habitats. Given the site's proximity to parts of Chichester & Langstone Harbours SPA/Ramsar, Solent Maritime SAC and Solent & Dorset Coasts SPA, and Langstone Harbour SSSI and Chichester Harbour

SSSI there is potential for construction activities to result in impacts to these sensitive sites.

- 7.11 The submitted CEMP received with this application includes measures to avoid potential impacts, regarding construction noise in particular and a condition is recommended for the development to be implemented in accordance with this document by the Ecology Officer and Natural England.

(vi) Parking

- 7.12 The proposed extension would be used for a junior training room which may result in some increased use of the site. The application form provided states the development would not result in additional employees on site. Considering the existing car parking area on site the proposal is not judged to result in a need for additional car parking allocation.

8 Conclusion

- 8.1 In conclusion the proposal is considered acceptable in principle and in terms of its impact on the character and appearance of the SPA, SSSI, AONB and nature conservation and is therefore considered to be appropriate subject to conditions and recommended for approval.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/21/00585

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:

001 Location and block plans uploaded on the 04.06.2021
002 Proposed plans and elevations uploaded on the 04.06.2021
Langstone Sailing Club CEMP uploaded on the 04.06.2021

Reason: - To ensure provision of a satisfactory development.

- 3 Development activities shall proceed in strict accordance with the submitted Construction Environmental Management Plan (CEMP) received 4 June 2021.

Reason: to protect biodiversity in accordance with the Conservation Regulations 2017, Wildlife & Countryside Act 1981, the NERC Act (2006), NPPF and with Policy CS 11 of the Havant Borough Core

Strategy March 2011.

- 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) shall be undertaken on site within the bird overwintering period, 1st October to 31st March inclusive.

Reason: To protect the habitats of the adjacent SPA, Ramsar 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 The external materials used shall match, in type, colour and texture, those of the existing building so far as practicable.

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.