
Site Address: 134 Sea Front, Hayling Island, PO11 9HW
Proposal: Demolition of existing detached residential dwelling, replaced by a new detached residential dwelling and associated landscape works.
Application No: APP/21/01021 Expiry Date: 25/11/2021
Applicant: Mr Steul
Agent: Mr Arthurs Case Officer: Joseph Toole
Arthurs Planning and Development
Ward: Hayling East

Recommendation: **GRANT PERMISSION**

1 Site Description

134 Sea Front, Hayling Island, is located to the north side of Sea Front. The application site is a detached two storey property comprising brickwork, tile hanging and stone detailing with concrete roof tiles. Vehicular access is from Webb Close with parking to the front.

The property is located within a residential area with properties along Sea Front predominately large two/three storey detached dwellings and three-storey blocks of flats. The character of the properties are of 1950s-1970s design. The buildings along Sea Front are staggered.

The property is located within Flood Zone 1 with the surrounding area around the application site being Flood Zone 2/3.

2 Planning History

No relevant planning history.

3 Proposal

Demolition of existing detached residential dwelling, replaced by a new detached residential dwelling and associated landscape works.

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)
DM10 (Pollution)
DM13 (Car and Cycle Parking on Residential Development)

Havant Borough Local Plan (Allocations) July 2014

Submission Version Havant Local Plan

E1*	(High quality design)
E12	(Low carbon design)
E19	(Managing flood risk in new development)
E15	(Protected species)
E14	(The Local Ecological Network)
EX1	(EX1 Water Quality impact on the Solent European Sites)

Emsworth Neighbourhood Plan Post Examination Version 2020

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Building Control

No Comment.

Coastal Engineering - 10/12/2021

Thank you for re-consulting with Coastal Partners on the above application, I can confirm that following submission of the revised Flood Risk Assessment (FRA), we are happy to remove our previous holding objection to the application.

The revised FRA acknowledges our previous concerns in relation to the finished floor levels (FFLs) and evidences that these have been set with the latest climate change projections (UKCP18) in mind. The FFLs have been set sufficiently high enough for sleeping accommodation to be located on the ground floor, including over a 1m freeboard above the predicted 1:1000 year extreme tidal flood level for Chichester Harbour in 2125. Access and egress routes for the property are also located within Flood Zone 1 for the duration of the lifetime of the development.

The revised FRA sets out a range of flood resistance and resilience measures to be incorporated into the new development, in addition to a proposed evacuation plan in the event of extreme tidal flooding.

Councillor Leah Turner - Hayling East

No Comment.

Councillor M Wilson - Hayling East

No Comment.

Councillor R Raines - Hayling East

No Comment.

Engineering/Drainage

No Comment.

Environment Agency**Environment Agency position**

We have reviewed the *Flood Risk Assessment and SUDS Strategy for Planning* by ARK Environmental Consultancy Ltd dated November 2021 and consider that it satisfactorily addresses our earlier concerns. We therefore withdraw our previous objection, dated 20 October 2021.

Nutrient Team

The above application is for a replacement dwelling therefore there is no net increase in dwellings as such nutrient mitigation is not required for the application.

Southern Gas Networks - stage 1

Please find an extract from our mains records for your proposed work area, any SGN assets are described in the map legend. On some occasions blank maps may be sent to you, this is due to your proposed work being in a no gas area but within our operational boundaries.

This mains record only shows the pipes owned by SGN in our role as a Licensed Gas Transporter (GT). Please note that privately owned gas pipes or pipes owned by other GTs may be present in this area and information regarding those pipes needs to be requested from the owners. If we know of any other pipes in the area, we will note them on the plans as a shaded area and/or a series of x's.

The information shown on this plan is given without obligation or warranty and the accuracy cannot be guaranteed. Service pipes, valves, siphons, stub connections etc. are not shown but their presence should be anticipated. Your attention is drawn to the information and disclaimer on these plans. The information included on the plan is only valid for 28 days.

On the mains record you may see the low/medium/intermediate pressure gas main near your site. There should be no mechanical excavations taking place above or within 0.5m of a low/medium pressure system or above or within 3.0m of an intermediate pressure system. You should, where required, confirm the position using hand dug trial holes.

A colour copy of these plans and the gas safety advice booklet enclosed should be passed to the senior person on site in order to prevent damage to our plant and potential direct or consequential costs to your organisation.

Safe digging practices in accordance with HSE publication HSG47 "Avoiding Danger from Underground Services" must be used to verify and establish the actual position of the mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all relevant people (direct labour or contractors) working for you on or near gas pipes.

It must be stressed that both direct and consequential damage to gas plant can be dangerous for your employees and the general public and repairs to any such damage will incur a charge to you or the organisation carrying out work on your behalf. Your works should be carried out in such a manner that we are able to gain access to our apparatus throughout the duration of your operations.

Waste Services Manager

No Comment.

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: 6

Number of site notices: At least one site notice exists - check the number.

Statutory advertisement: Not applicable.

Number of representations received: 0

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 neighbouring properties
- (iv) Flood Risk
- (v) Parking
- (vi) CIL
- (vii) Southern Gas
- (viii) Ecology
- (iv) Nutrients

(i) Principle of development

7.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria. The principle of development is considered acceptable replacing the existing dwellinghouse with a new property.

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

7.3 The proposed development would involve the demolition of the existing detached residential dwelling to be replaced by a 4 bedroom detached dwelling of three stories.

7.4 The proposal would have a modern design which reflects a contemporary aesthetic which is considered to make a positive contribution to the seaside character. It is worth noting there are examples of modern contemporary design within the area such as at Dilkusha Court and No.140 Sea Front. A condition requesting samples of materials to be provided before any above ground construction works take place, is recommended..

7.5 The scale and massing of the proposed house is considered to be inkeeping with the character of the area.

- 7.6 In summary, the proposal would replace an existing dwelling, which has little in the way of architectural merits. In replacing this with a modern dwelling of attractive contemporary design, it is considered that the proposal would overall improve the appearance of the site and would be inkeeping with the seaside character of the area, in accordance with Policy CS16 of the HBLP (Core Strategy), Policy E1 of the Submission Havant Borough Local Plan 2036 and the advice in the NPPF.

(iii) Impact upon neighbouring properties

- 7.7 On the North side (front) there would be a garage door, front door and doors on the ground floor. At first floor level there would be two windows and at second floor level there would be a dormer window and rooflight within the roof space. These views would create similar views to that already established on site and as a result is not considered to cause harmful overlooking to the surrounding neighbouring properties.
- 7.8 On the east side the proposed property would be extended to 1.6 metres from the boundary. This would match the side elevation of No.134A to the site boundary. Thus, it is considered the proposed building line would not have a negative impact on the neighbouring property. There would be two windows on the ground serving en-suites. They would be obscurely glazed and above 1.7 metres in floor level therefore they are not considered to cause any form of harmful overlooking into the private amenity of No.134A. At first floor level there would be three windows, one serving the snug room and two serving the living room. They would be above 1.7 metres in floor level therefore they are not considered to cause harmful overlooking. There would be a 1.7 metre high obscure glazed balustrade on the side of proposed first floor terrace thus it is not considered to cause material overlooking from the terrace. It is also worth noting there are no side windows on the west side elevation of No.134A. The proposed property would be 3 metres further forward on the south side than the existing. This would match the depth of No.134A of this side. As a result, the proposed property is not considered to cause harmful overlooking, appear overbearing or result in the harmful loss of light to No.134A.
- 7.9 On the west side the proposed property would be extended to 1.1 metres from the boundary. This would match the side elevation of No.136 to the site boundary. Thus, it is considered to have an appropriate separation distance off the boundary. There would be three windows on the ground floor serving the utility room and bathrooms. They would be obscurely glazed and above 1.7 metres in floor level therefore they are not considered to cause any form of harmful overlooking into the private amenity of No.136. At first floor level there would be two windows serving the dining room and living room. They would be above 1.7 metres in floor level therefore they are not considered to cause harmful overlooking. There would be a 1.7 metre high obscure glazed balustrade on the side of proposed first floor terrace thus it is not considered to cause material overlooking from the terrace. It is worth noting 45 degree angles have been carried out on ground level and it is deemed acceptable. As a result, the proposed property is not considered to cause harmful overlooking, appear overbearing or result in the harmful loss of light to No.136.
- 7.10 .To the rear there would be glass fenestration at all levels. As this would create similar views to that already established from the existing dwelling it is not considered to result in an adverse increase of overlooking.

7.11 It is considered that the proposal would not appear overbearing or lead to significant overlooking or loss of light and would have a limited and acceptable impact on the properties immediately adjacent to the application site and the properties to the front in terms of residential amenity, meeting the requirements of Policy CS16 of the HBLP (Core Strategy) and Policy E1 of the Submission Havant Borough Local Plan 2036. However, to bring under control any future extensions to the proposal, it is recommended that permitted development rights be removed.

(iv) Flood Risk

7.12 Most of the existing property is within Flood Zone 1 with the replacement house in a similar location. The surrounding area around the application site being Flood Zone 2/3. The Environment Agency and the Council's Coastal Engineer original objected to the application due to the lack of a detailed Flood Risk Assessment. As a result a new Flood Risk Assessment was submitted which sets out a number of mitigation measures to deal with the risks arising:

- The development is for a replacement dwelling;
- Maximise porous and permeable areas - significant betterment
- Highest forms of SUDS to be used for a previously 100% un-attenuated site
- SUDS storage on site: sedum roof, rain gardens and EA specification for granular angular subbase
- New restricted discharge to sewer (as restricted overflow / back up)
- Oversized storage for betterment and flood future-proofing
- Betterment as will attenuate for areas currently unattenuated
- Mandatory and standard resilient measures

7.13 The Environment Agency and Coastal Engineer were reconsulted and raised no objection to the proposal. The points raised by the EA, would be included as an informative if permission is granted, together with a condition that the development shall proceed in accordance with the submitted Flood Risk Assessment.

7.14 As to the sequential test the site falls within Flood Zone 2 and 3 and the proposal is for a replacement dwelling on the site. Therefore an alternative site is not considered to be a realistic option. As to the exception test the proposal is considered to be a sustainable solution and a betterment over the existing dwelling on the site. Further, the FRA has demonstrated that the lifetime of the development would be safe, without increasing flood risk elsewhere. Therefore subject to a condition requiring the proposal to accord with the FRA the development accords with Policy CS15 of the HBLPCS and Policy E19 of the Havant Borough Submission Havant Borough Local Plan.

(v) Parking

7.15 The proposed development would result in the increase in the number of bedrooms from 3 to 4 therefore 3 car parking spaces are required according to the Havant Borough Parking Standards SPD. The proposal would provide car parking spaces for up to 4 cars, two within the garage and two in the parking bays. The vehicles will be able to reverse and manoeuvre from Webb Close as at present. Therefore, the proposal would meet the criteria in Havant's Car Parking SPD and Policy DM13 of the HBLPCS.

(vi) CIL

- 7.16 The proposal would be larger than the dwelling it would replace. The larger internal area is Community Infrastructure Levy (CIL) liable and the appropriate forms have been submitted. The gross increase in additional internal floor space for the dwelling has been calculated by the agent as 146 sqm, which would be £21,704,46. An exemption has not been sought.

(vii) Southern Gas

- 7.17 Southern Gas commented on the application. An informative to this effect has been added to the decision.

(viii) Ecology

- 7.18 The property is within 50 metres of notable and protected species of autumn lady's-tresses and knotted clover. As the proposed property would be a replacement of an existing dwelling it is considered not to have a negative impact on the ecology of the area. Thus, the development accords with Policy CS11 of the HBLPCS and Policy E15 of the Submission Havant Borough Local Plan.

(iv) Nutrients

- 7.19 The Council's Nutrient's team were consulted on the application stating the proposal is for a replacement dwelling therefore there is no net increase in dwellings. As such nutrient mitigation is not required for the application.

8 Conclusion

- 8.1 On the overall planning balance and having due regard to all material planning considerations, it is considered that the proposal would overall improve the appearance of the site, would be inkeeping with the seaside character of the area, would not appear overbearing or lead to significant overlooking or loss of light having a limited and acceptable impact on the surrounding properties in terms of residential amenity. Furthermore, the proposed replacement dwelling is considered to be acceptable in terms of flooding, parking and ecology and is considered acceptable and conditional planning permission is recommended.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/21/01021

- 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:

Existing Site Plan - 010
Proposed Site Plan - 110
Proposed Block Plan - 111
Proposed Ground Floor Plan - 112
Proposed First Floor Plan - 113
Proposed Second Floor Plan - 114
Proposed Roof Plan - 115
Proposed Site Layout - 120
Proposed North Elevation - 202
Proposed West Elevation - 203
Proposed East Elevation - 204
Proposed South Elevation - 205
Proposed Section Plan - 210
Flood Risk Assessment and SUDS Strategy - ARK Environmental Consultancy Ltd - November 2021
Design and Access Statement August 2021

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 of the materials to be used externally on the building 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, Policy E1 of the Havant Borough Submission Local Plan and the National Planning Policy Framework.

- 4 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extension or outbuilding building shall be constructed within the curtilage of the site without the prior approval of the Local Planning Authority.

Reason: In the interests of neighbouring residential amenity and Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and Policy E1 of the Submission Havant Borough Local Plan 2036.

- 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 The development hereby approved, shall be built with a minimum separation distances of 1.1 metres to the west and 1.6 metres to the east between number 136 Sea Front and number 134A Sea Front in accordance with the dimensions shown on the approved Block Plan and Location Plan.

Reason: In the interests of residential amenity of number 136 Sea Front and number 134A Sea Front having due regard to Policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and Policy E1 of the Havant Borough Submission Local Plan.

- 7 The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment produced by ARK Environmental Consultancy Ltd dated November 2021. The mitigation measures shall be fully implemented prior to occupation. The measures shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants having due regard to Policies CS15 of the Havant Borough Local Plan (Core Strategy) 2011, Policy E19 of the Havant Borough Submission Local Plan and the National Planning Policy Framework.

- 8 The development hereby permitted shall not be occupied until:

- (a) A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority; and
- (b) All measures necessary to meet the approved water efficiency calculation have been installed.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, and Policy E14, EX1 and E12 of the Pre-Submission Havant Borough Local Plan.

- 9 At all times following occupation of the development hereby approved, all measures necessary to meet the approved water efficiency calculation shall be maintained so as to ensure that no more than 110 litres per person per day shall be consumed in the development in perpetuity.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, and Policy E14, EX1 and E12 of the Pre-Submission Havant Borough Local Plan.