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|-----------------|------------------------------------------------------------|---------------|-----------------|
| Site Address:   | Salterns House, 1 Salterns Close, Hayling Island, PO11 9PL |               |                 |
| Proposal:       | Proposed sunroom.                                          |               |                 |
| Application No: | APP/21/00963                                               | Expiry Date:  | 09/11/2021      |
| Applicant:      | Mr & Mrs C Molloy                                          |               |                 |
| Agent:          | Mr C Clements                                              | Case Officer: | Julie Terzoudis |
|                 | Downland Design Ltd                                        |               |                 |
| Ward:           | Hayling East                                               |               |                 |

Recommendation: **GRANT PERMISSION**

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## **1 Site Description**

- 1.1 The subject site relates to a large two-storey detached dwelling known as Salterns House, located at 1 Salterns Close, upon Hayling Island. The property is rendered in white, with a projecting porch to the front and character sash windows. There is an existing garage located towards the west of the site. A sizeable garden area serves the dwelling on all sides, leading down to the foreshore. The dwelling itself incorporates a considerable setback from the foreshore. A tall brick boundary wall runs along the foreshore to Salterns House.
- 1.2 Salterns Close is a well-established residential area comprising of a mix of property sizes and styles. The northern part of the site extends to the foreshore of Chichester Harbour, as do the rear gardens of the neighbouring properties.
- 1.3 The application site falls within Flood Zones 2 and 3. It also falls within the Chichester Harbour Area of Outstanding Natural Beauty (AONB), a Special Protection Area (SPA), Special Area of Conservation (SAC), Site of Special Scientific Interest (SSSI), RAMSAR site and a Dark Sky Discovery Site.

## **2 Planning History**

02/62590/001 - Remove internal divisions to form single dwelling., UNK,  
97/62590/000 - Retrospective sub division of existing property into 2 no 3 bedroom residential units utilising existing access onto Salterns Lane. PERM,02/10/1997  
APP/10/00863 - Demolish existing rear conservatory and erect new single storey rear extension. PERM,20/12/2010  
APP/16/00614 - Erection of 1No. 3 bed dwelling with integral garage and new access onto Salterns Close (08.09.16). Request to discharge condition Nos.3,4,5,7 and 14 (05.02.18). PERM,08/09/2016  
APP/18/00143 - Condition 3 - Condition 4. Condition 5 - Condition 7 - Condition 14 - Please see submitted Construction Environmental Management Plan., UNK,  
APP/19/00099 - Erection of summer house in rear garden. PERM,10/04/2019  
APP/20/00380 - Proposed front and side extensions to existing garage, PERM,21/08/2020  
APP/20/00004/TP1 - UNK,07/10/2020

It should be noted that a canopy structure in timber is set to the east of the site for the

proposed sunroom, although no planning record exists for this structure.

### **3 Proposal**

- 3.1 The application proposed the construction of a 'sunroom' outbuilding which would be set beyond the brick wall which runs along the rear of the garden, fronting the harbour. The outbuilding proposes revised dimensions of 3.2m x 5.4m providing a footprint of approximately 17.5 square metres. The building would be set under a flat roof with a maximum height of 2.6m.
- 3.2 The proposed outbuilding walls would be finished in boarding to match the existing decking, under a flat roof with grey GRP or singly ply membrane, hidden behind a grey aluminium parapet. High performance aluminium windows and doors in grey are also proposed.

### **4 Policy Considerations**

National Planning Policy Framework (2021)  
Planning Practice Guidance (2016)  
Havant Borough Council Borough Design Guide SPD December (2011)  
Chichester Harbour Management Plan (2019-2024)  
Joint CHAONB Design SPD (2017)

#### Havant Borough Local Plan (Core Strategy) March 2011

|      |                                                                         |
|------|-------------------------------------------------------------------------|
| 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)                                       |
| DM10 | (Pollution)                                                             |

#### 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

|     |                                                         |
|-----|---------------------------------------------------------|
| E1* | (High quality design)                                   |
| E4  | (Development on the Coast)                              |
| E5  | (Chichester Harbour Area of Outstanding Natural Beauty) |
| E15 | (Protected species)                                     |
| E19 | (Managing flood risk in new development)                |

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

### **5 Statutory and Non Statutory Consultations**

#### **Arboriculturalist, Havant Borough Council**

First comment 29/09/2021: There are no trees in the vicinity of this proposal therefore I have no comments to make.

Second comment 12/10/2021: Comments remain unaltered.

#### **Chichester Harbour Conservancy (summarised)**

First comment 23/09/2021: The Conservancy would generally prefer the open

foreshore to be maintained to the Harbour. The proposed structure is considered to be rather wide, containing much (almost full-length) glazing to the Harbour elevation which lit at night could interfere with bats foraging along the treed shoreline. It is considered that a structure no wider than the existing canopy or 2 6ths less than currently shown – whichever is the greater - should be negotiated with only central glazing to be as currently proportioned and that either side to have a higher cill level, which would still allow a view out when sat down inside. Holding objection is therefore made, to be considered withdrawn if the suggested amendments are negotiated by the Council. Second comment 01/11/2021: Whilst the width of the structure has been reduced the amount of full-length glazing has not. A holding objection is therefore maintained, as per the reasoning previously given.

**Councillor Leah Turner - Hayling East**

No comments received.

**Councillor M Wilson - Hayling East**

No comments received.

**Councillor R Raines - Hayling East**

No comments received.

**County Ecologist, Strategic Environmental Delivery (summarised)**

02/10/2021: If you are minded to grant permission, can I suggest that the following condition is applied to any permission:

Development activities shall be undertaken outside the period 1 October to 31 March unless it can be demonstrated that noise levels will be limited to 68dB or below at the boundary with the adjacent Chichester & Langstone Harbours Special Protection Area and Ramsar site. Reason: to protect wintering bird species in accordance with the Conservation Regulations 2019, NPPF and Policy CS 11 of the Havant Borough Core Strategy March 2011.

**Developer Services, Southern Water**

First comment 02/10/2021: Please see the attached extract from Southern Water records showing the approximate position of our existing public foul sewer in the immediate vicinity of the development site. The exact position of the public assets must be determined on site by the applicant in consultation with Southern Water. Please note:- The 225 mm public foul sewer requires a clearance of 3 metres on either side of the gravity sewer to protect it from construction works and to allow for future access for maintenance.

- No new development or new tree planting should be carried out within 3 metres of the external edge of the public gravity sewer without consent from Southern Water.
- No new soakaway, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public sewer.
- All existing infrastructure should be protected during the course of construction works.

Please refer to: [southernwater.co.uk/media/3011/stand-off-distances.pdf](https://southernwater.co.uk/media/3011/stand-off-distances.pdf).

Second comment 27/10/2021: The comments in our previous response dated 05/10/2021 remain unchanged and valid for the amended details.

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

## **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) Appropriateness of design and impact on the character of the area and the Area of Outstanding Natural Beauty
- (iii) Effect on neighbouring properties
- (iv) Flood risk impacts
- (v) Ecology impacts

(i) Principle of development

7.2 The application site is located within the defined urban area, therefore development is considered acceptable in principle subject to development management criteria.

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

7.3 The initial dimensions for the proposed sunroom were considered excessive in scale within its highly visible and prominent location on the Chichester Harbour foreshore. The extent of glazing, and subsequent light spill was also considered to result in potential impacts to foraging bat species within the AONB protected area and contribute additional unnecessary light pollution within the Dark Sky Discovery Site. Revisions were requested to the design which reduced the width of the outbuilding, and the extent of glazing. It is acknowledged that the Chichester Harbour Conservancy still retain a holding objection to the revised proposed development, however on balance, it was considered that the imposition of relevant conditions could overcome the concerns raised.

7.4 The proposed sunroom would be located approximately 18m from Salterns House and would be set to the rear of the garden brick wall, facing out onto Chichester Harbour. The sunroom would have a width of approximately 5.4m, a depth of approximately 3.2m with a flat roof design with a total height of 2.6m. The scale of the proposed sunroom is considered to be appropriate to the area and would not appear overbearing along the front of Chichester Harbour.

7.5 It is noted that the proposed materials of dark grey powder-coated aluminium window frameworks and dark muted timber boarding accord with the preferred materials outlined within the Havant Borough Council Borough Design Guide SPD and the Joint CHAONB Design SPD (2017) and therefore no further details would be required to be

submitted regarding proposed materials.

- 7.6 The design and appearance of the proposal is deemed appropriate in context to the main building and, subject to relevant conditions is considered to conserve the character and setting of the AONB and is therefore considered to be acceptable, meeting the requirements of Policies CS11 and CS16 of the HBLP (Core Strategy 2011).

(iii) Effect on neighbouring properties

- 7.7 The proposal is minor in scale and is not considered to have an adverse residential amenity impacts on any of the surrounding neighbouring properties facing out onto the Chichester Harbour foreshore.
- 7.8 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 2011). It is noted no letters of objection were received with respect to the scheme.

(iv) Flood risk impacts

- 7.9 The proposed outbuilding would fall within Flood Zone 3 as defined by the Environment Agency. An accompanying completed flood risk form for householder and other minor extensions located in Flood Zones 2 & 3 was submitted in support of the application.
- 7.10 The applicant confirmed the following flood mitigation measure will be applied to the development – ‘The sunroom will be built as a wet room, using non vulnerable materials and construction methods. The floor will incorporate a drain to enable release of flood water and washing down as required’.
- 7.11 An informative will be placed to direct the applicant to the Environment Agency’s standing advice pages for managing flood risk. No further concerns would be raised regarding flood risk.

(v) Ecology impacts

- 7.12 Due to the sensitive location an Ecology Report was required to confirm that no harm would be caused from the proposed development to the local ecology.
- 7.13 The submitted Preliminary Roost & Nest Assessment (ESL, May 2021) demonstrates that the footprint of the proposed sunroom is of negligible ecological value, comprising managed grassland and planted ornamental vegetation. The summary also concluded that there would be no disturbance or harm caused to bat species, subject to lighting mitigation.
- 7.14 The site is situated immediately adjacent to the Chichester & Langstone Harbours Special Protection Area (SPA) and Ramsar site, designated for its importance for overwintering bird species. There is potential for any construction-related activities to result in disturbance of wintering bird species. In order to avoid impacts construction activities should avoid the period 1 October to 31 March. If works are to occur within this period, then it will be necessary to limit noise disturbance to 68 decibels or below, either by demonstrating that activities would not generate these noise levels or

by the use of noise abatement screening at the site boundary with the SPA/Ramsar. This would be controlled through the imposition of a condition.

- 7.15 The application also falls within the Chichester Harbour AONB which has also been identified as an intrinsically dark sky landscape. The additional light source introduced by the proposed outbuilding could result in harm to sensitive wildlife receptors and undermine the enjoyment of the harbourside and night sky.
- 7.16 Due to the highly sensitive location within the protected area, any external lighting proposed as part of the development must comply with certain criteria. The full extent of proposed glazing must also consist of tinted glass panels or similar light reduction solutions. The sunroom should also be fitted with working internal screen blinds to reduce light spillage. This mitigation would reduce the level of harm from the introduction of lighting minimising any subsequent impacts to wildlife receptors, and to the dark sky landscape. This mitigation will also be controlled through application of a condition.

## **8 Conclusion**

- 8.1 The scale, siting and design of the proposal would have limited and acceptable impact on the neighbours. The design and appearance of the proposal is deemed appropriate in context to the main building and, subject to relevant conditions is considered to conserve the character and setting of the AONB. The mitigating factors and imposed planning conditions would result in an acceptable and appropriate development which should be recommended for approval.

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## **9 RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/21/00963, 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:

Block and Location Plan Drw. No. 1928-02.4 - received 12 Oct 2021  
Existing Elevations Drw. No. 1928-01.4 - received 14 Sept 2021  
Existing Ground Floor Plan Drw. No. 1928-02.9 - received 12 Oct 2021  
Existing Roof Plan Drw. No. 1928-01.6 - received 14 Sept 2021  
Proposed Roof Plan Drw. No. 1928-02.3 - received 12 Oct 2021  
Proposed Sunroom Elevations Drw. No. 1928-03.4 - received 12 Oct 2021  
Proposed Floor Plan Sunroom Drw. No. 1928-02.10 - received 12 Oct 2021

**Reason:** - To ensure provision of a satisfactory development.

- 3 The external materials used shall be as indicated on the submitted forms and hereby approved plans.

**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.

- 4 Development activities shall be undertaken outside the period 1 October to 31 March unless it can be demonstrated that noise levels will be limited to 68dB or below at the boundary with the adjacent Chichester & Langstone Harbours Special Protection Area and Ramsar site.

**Reason:** to protect wintering bird species in accordance with the Conservation Regulations 2019, NPPF and Policy CS11 of the Havant Borough Core Strategy March 2011.

- 5 No above ground construction works shall take place until samples and/or a full specification of the glazed fenestration to reduce light spillage during evenings and night-times have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

**Reason:** To minimise and reduce light illumination emitted and limit disturbance to wildlife, in accordance with policies CS12, DM8 and DM10 of the Core Strategy 2011.

- 6 No external lighting shall be installed on the site unless details of the position, height and type of lights have been submitted to and approved in writing by the local planning authority. The external lighting shall be installed and operated in accordance with the approved scheme and no other lighting shall be installed or operated.

**Reason:** To prevent light pollution and in the interests of the amenity of the area and neighbouring properties in accordance with policy CS16, DM8 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011.