
Site Address:	Shallows, Woodgaston Lane, Hayling Island, PO11 0RL		
Proposal:	Demolition of existing dwelling, and erection of 6 bed house with attached garage and boathouse. Installation of swimming pool and new terrace.		
Application No:	APP/16/00698	Expiry Date:	29/09/2016
Applicant:	Mr J Butler and K Keeping		
Agent:		Case Officer:	Rachael McMurray
Ward:	Hayling East		

Recommendation: **GRANT PERMISSION**

1 Site Description

The site is located in the countryside at the eastern end of Woodgaston Lane. It contains a detached, two-storey dwelling finished in render, painted white. To the front of the dwelling is a gravel driveway and to the rear is a 120m landscaped garden, with several mature trees which extends down to the waters edge. There are various outbuilding and boat sheds in the garden. A new sea wall was recently constructed on the south boundary of the site.

Residential development exists to the west of the site in the form of detached dwellings. To the east of the site are large grazing fields, Gutner Nature Reserve and beyond that is Chichester Harbour.

The site is located in the Chichester Harbour Area of Outstanding Natural Beauty (AONB), where there are several environmental protection designations. Given its proximity to the coastline, the rear end of the garden is located in a flood risk zone (2 and 3). Woodgatson Lane contains several properties which vary widely in design and massing. Shallows is located in a spacious plot which overlooks the harbour, but is more isolated than other nearby properties which are built more closely together.

2 Planning History

01/65724/000 - First floor extension under new gable to replace existing balcony, PERM,20/11/2001
APP/13/00391 - Fell 1No. Oak; crown raise to 5m 12No. Poplars; all trees within Woodland 1 of TPO 1414., PERM,14/06/2013
GEN/13/00393 - Notice of intention to fell Poplar tree - DDD, ,08/05/2013
GEN/14/00461 - Construction of a new sea wall to replace uneven/damaged existing wall., ,29/04/2014 15:36:42
GEN/15/00128 - Query relating to maintenance and repair of sea wall., ,17/02/2015
APP/15/00534 - Supplementary wall to existing sea defences; cladding to same with associated earthworks., PERM,09/07/2015
APP/15/00775 - Discharge of Condition No. 5 of Planning Permission APP/15/00534., PERM,24/07/2015
GEN/16/00105 - Proposed redesign of property/demolish and re-build, ,06/04/2016 15:15:11

3 Proposal

Demolish existing dwelling, and construct a replacement dwelling on relatively the same site with a garage and boat house to the west with bedrooms above, linked to the new house. The GF level will be raised to reduce the risk of flooding and damp . The dwelling would be finished with natural timber framing and cladding and brick and flint work. The roof would be redland farmhouse plan tiles with oak fascias and soffits. Lower walls would be traditonal red brick work with arched lintols to the fenestration.

The style of the dwelling would retain a traditonal character with pitched roof and projecting gable sections. The boat house would replace a smaller building and would be linked to the main house by a covered walkway at first floor level. The boat house would contain bedrooms on the first floor. The style of this includes a pitched roof but with hipped corners. Parking would be retained at the front of the house.

The proposal would also include a 1m raised paved area to the south and east of the dwelling which would incorporate a swimming pool 0.5m above the paving level. The perimeter walls would be constructed of matching brick with flint panels.

Amended plans were received on 22/9/16 which showed the dwelling in a slightly different position within the plot (1m further east). This was to move the footprint out of the RPA of the protected trees to the west.

4 Policy Considerations

National Planning Policy Framework

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))
CS16	(High Quality Design)
CS21	(Developer Requirements)
CS9	(Housing)
DM13	(Car and Cycle Parking on Residential Development)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)
DM9	(Development in the Coastal Zone)

Havant Borough Local Plan (Allocations) July 2014

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Building Control:

The width of the lane should be increased, or a sprinkler system added. The unprotected area on the west elevation of the boat house would not comply with building regs. The oak cladding would exceed the pd limits and should be replaced with a fire resistant product such as fibre cement boarding. Bin storage should be provided.

Development Engineer:
No objections

Waste Services Manager:
No objections

Arboriculturalist:
No tree removal is required to facilitate this project. The supporting arboricultural evidence is comprehensive and provided that the methodology prescribed in this MS & TPP report is strictly adhered to (inclusive of site monitoring works) the trees will survive the development unscathed and to continue to grow on safely and healthily in the future. Therefore I have no objections to this scheme in arboricultural terms.

Environment Agency:

No objections.

The applicant should note that this development may require an Environmental Permit or an exemption from an Environmental Permit from the EA. Any works located in, over, under or within 8m of a main river or 16m of a tidal defence, is likely to require a Flood Risk Activity Permit from the EA. Further details are available on the GOV.UK website:

www.gov.uk/guidance/flood-risk-activities-environmental-permits

Chichester Harbour Conservancy:
No objection subject to conditions requiring the approval of external building materials and safeguarding of trees on/overhanging the site during construction. If removal of the existing static caravan upon completion of the new dwelling can be secured, the Conservancy would support that approach.

Natural England Government Team:

No objection. The following conditions should be appended to any planning permission:

- No percussive piling or works with heavy machinery to be undertaken during the bird overwintering period (i.e. October to March)
- Prior to the commencement of the development hereby approved, a construction environmental management plan shall be submitted to and approved in writing by the LPA. The construction environmental management plan shall identify the steps and procedures that will be implemented to minimise noise levels during the winter months, the creation of dust, pollution of the harbour and waste disposal resulting from the site preparation, groundwork and construction phase of the development. Once approved, the plan shall be adhered to at all times, unless otherwise agreed in writing by the LPA.

County Minerals:
No response provided.

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: 2

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 1

Summary

- a) no concerns regarding design of new dwelling
- b) annex should be conditioned to be ancillary
- c) Concerns re high water table and swimming pool (*Natural England and EA have been consulted and have not objected*)
- d) Fire access (*this is a matter for building controls but an informative will be added*)

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) Effect on the character and appearance of the area, particularly of Chichester Harbour Area of Outstanding Natural Beauty.
- (iii) Effect on neighbouring properties
- (iv) Ecology considerations
- (v) Flooding risk
- (vi) Impact on trees
- (vii) Other matters

(i) Principle of development

The site lies outside of the urban area as defined by Policies AL2 and CS17 however, the principle of replacement dwelling is considered to be acceptable.

(ii) Effect on the character and appearance of the area, particularly of Chichester Harbour Area of Outstanding Natural Beauty.

The site and the existing dwelling does not have a high degree of visibility from the shoreline, nor the opposing of the creek owing to the existing tree cover on the site. The replacement dwelling would retain the traditional character of the existing house, albeit on a grander scale with a ridge height increase of 1.6m. The boat house would replace a smaller building and would be linked to the main house by a covered walkway at first floor level. The boat house would contain bedrooms on the first floor. The style of this includes a pitched roof but with hipped corners. It is subservient to the main house. The site being of a substantial size, can easily accommodate an ancillary structure of this scale without resulting in overdevelopment of the plot.

The new dwelling would represent an increase on the existing including a raised ridge height and larger footprint, particularly on the boat house section of the proposal. However, in terms of the impact on the character and appearance on the area, this

would be mitigated by the use of muted materials, and mitigation of new glazing areas by eaves overhang. The existing tree coverage on the site will still provide good coverage of the new dwelling, even with the increase in ridge height of 1.6m. The dwelling would include balconies on east and south elevations which is similar to present. Chichester Harbour Conservancy have been consulted and have not raised any objections to the application subject to acceptable materials being used.

Overall it is considered that as a result of the high quality, well considered design using appropriate materials, the impact on the area and the AONB would be limited and acceptable. The proposal is therefore considered to be in accordance with Policies CS12 and CS16 of the Local Plan (Core Strategy 2011).

(iii) Effect on neighbouring properties

Given the considerable distances from any neighbouring property (the closest is 40m), the proposed dwelling is not considered to have any impact on the adjacent properties in terms of loss of amenity or privacy.

(iv) Ecology considerations

The site does include an area of green winged orchids which are a protected species. This area will be fenced and treated as an unimproved grass meadow. A Phase I bat survey has also been carried out and no bats were in residence. The County Ecologist has been consulted and has not raised any issues with the proposed development.

(v) Flood risk _

The rear end of the garden is located in Flood Zones 2 and 3. The GF of the new house will be set 1m above ground level. The roof water and glazed area will drain into a storage tank which will overflow to the sea wall with a flapper valve. The Environment Agency have been consulted and have not raised any objections to this proposal.

(v) Impact on the trees

There are several large mature trees on the site which are protected under a group protection order. The originally submitted plans showed the footprint of the boat house being within the RPA and insufficient details were given with respect to how the foundations would be constructed. The applicant provided further information with regards to this and submitted a revised plan which showed the footprint of the development moved a further 1m to the east to move it away from the RPA.

The Tree Officer was consulted and has concluded that based on the revised tree report and location of the development, that they are satisfied that the supporting arboricultural evidence is comprehensive and provided that the methodology prescribed in this MS & TPP report is strictly adhered to (inclusive of site monitoring works), the trees will survive the development unscathed and to continue to grow on safely and healthily in the future.

(vi) Other Matters

The development would be liable for CIL contributions charged at £100/sqm of floorspace plus indexation, the total being £23,417.41. A Self Build form has been

submitted so if the relevant forms are submitted at the time of commencement of development, then the development may be exempt from CIL subject to the self build regulations.

8 Conclusion

The development would comprise an attractive and high quality design replacement dwelling which would have a limited and acceptable impact on the surrounding environment, whilst protecting the on site trees and limiting the potential for flood risk. It is therefore recommended for approval.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/16/00698 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 No development hereby permitted shall commence until plans and particulars specifying the layout, depth and capacity of all foul and surface water drains and sewers proposed to serve the same, and details of any other proposed ancillary drainage works/plant (e.g. pumping stations) have been submitted to and approved in writing by the Local Planning Authority. Unless agreed otherwise in writing by the Local Planning Authority, the development hereby permitted shall not be brought into use prior to the completion of the implementation of all such drainage provision in full accordance with such plans and particulars as are thus approved by the Authority.
Reason: To safeguard the amenities of the locality and ensure that all such drainage provision is constructed to an appropriate standard and quality and having due regard to policies and proposals CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 3 No development shall take place until details of existing and finished floor and site levels relative to previously agreed off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11, CS12 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 4 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or a full specification of the materials to be used externally on the buildings 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 and the National Planning Policy Framework.

- 5 The development hereby permitted shall be carried out in accordance with the following approved plans:

Bat survey - 29th June 2016

Revised block plan - P1

Location Plan and section of pool and terrace - JB/H/3.16/3R

Proposed FF plan - JB/H/3.16/3R

Proposed GF plan - JB/H/3.16/3R

Proposed elevations - JB/H/3.16/4RI

Proposed elevations - JB/H/3.16/2RI

Proposed boathouse elevations and floorplans - JB/H/3.16/5RI

Topographical survey - 04415_TOPO_ALL_REV_A

Tree report - Shallows - 4/10/16

Tree Protection Plan - 4/10/16

Reason: - To ensure provision of a satisfactory development.

- 6 The boathouse hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of the existing dwelling and shall not be used as a separate unit of accommodation or for business purposes.

Reason: The unit of accommodation may not be suitable to be occupied separately from the main dwelling and having due regard to policies CS16 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 7 The methodology prescribed in the submitted Method Statement and Tree Protection Report submitted on 5th October 2016 shall be strictly adhered to during and after the construction phase.

Reason: To safeguard protected trees on the site and having due regard to policy DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 8 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).

Reason: In the interests of the nearby environmentally sensitive areas and having due regard for Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 9 Prior to the commencement of the development hereby approved, a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall identify the steps and procedures that will be implemented to minimise noise

levels during the winter

months, the creation and impact of dust, pollution of the harbour and waste disposal resulting from the site preparation, groundwork and construction phase of the development.

Once approved, the Construction Environmental Management Plan shall be adhered to at all times, unless otherwise first agreed in writing with the Local Planning Authority.

Reason: In the interests of the nearby environmentally sensitive areas and having due regard for Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.