
Site Address:	3 Swans Walk, Hayling Island, PO11 9TX		
Proposal:	Demolition of existing 3 bed detached dwelling and construction of 1No. 4 bed detached house.		
Application No:	APP/15/00503	Expiry Date:	21/07/2015
Applicant:	Mr Stallard	Team:	Team 1
Agent:	Mr Meloy	Case Officer:	Richard Nash
	Meloy Architects		
Ward:	Hayling East		

Recommendation: **GRANT PERMISSION**

1 Site Description

The application site comprises a single storey detached dwelling of brick and tile finish, located within a reasonably sized plot at the northern end of Swans Walk, a private cul-de-sac accessed from the north side of Salterns Lane.

The side boundaries of the site are marked by fencing and hedging up to a height of approximately 1.8 metres. There is a small grassed area and parking to the front the site. The rear garden contains two small structures and faces across My Lord's Pond at the head of Mengham Rythe, and slopes downwards from the dwelling with several mature oak trees at the waters edge. On land, the area is predominantly characterised by medium density residential land use – the immediately surrounding dwellings are of a broadly similar style to that on the application site.

The existing dwelling is located outside the Chichester Harbour Area of Outstanding Natural Beauty (AONB), the Chichester and Langstone Harbours Special Protection Area (SPA) and Ramsar sites, the Solent Maritime Special Area of Conservation (SAC), the Chichester Harbour Site of Special Scientific Interest (SSSI) and Flood Zones 2 and 3. The proposed development would not take place within any of these areas but the extreme northern water-side edge of the site garden is covered by these designations. The whole site is within the Coastal Zone as defined in the Local Plan.

2 Planning History

No applications, but there has been considerable pre-application discussion regarding the current proposal.

3 Proposal

The current application proposes the demolition of the existing 3 bedroom detached dwelling and the construction of a 4 bedroom detached house.

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))
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
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

AL1	(Presumption in Favour of Sustainable Development)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Supplementary Planning Documents (SPDs) and Guidance

Borough Design Guide SPD (2011)
Housing SPD (2011)
Chichester Harbour AONB Design Guidelines for New Dwellings and Extensions (2010)
Residential Parking and Cycling Provision SPD (2010)
Developer Contributions Guide (2013)

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

5 Statutory and Non Statutory Consultations

Chichester Harbour Conservancy (Recommendation): The Local Planning Authority is advised that the Conservancy has no objection to this application, but asks that the following matters be negotiated if possible:

Retention of Oak trees to end of Harbourside garden;
Samples of materials and finishes to be agreed prior to construction, to include aluminium for fascias and battens, and 'grey tinted' glass (which should not have a reflective coating);
Details of proposed solar panels to be agreed prior to construction, to ensure these are not visible from the Harbour.
NB: Conditions recommended.

Natural England: Internationally and nationally designated sites: The Council, as a competent authority under the provisions of the Habitats Regulations, should have regard for any potential impacts that a plan or project may have. The Conservation objectives for each European site explain how the site should be restored and/or maintained and may be helpful in assessing what, if any, potential impacts a plan or project may have.

Natura 2000 sites: No objection: The consultation documents provided by your authority do not include information to demonstrate that the requirements of Regulations 61 and 62 of the Habitats Regulations have been considered by your

authority, i.e. the consultation does not include a Habitats Regulations Assessment (HRA). In advising your authority on the requirements relating to HRA, and to assist you in screening for the likelihood of significant effects, based on the information provided, Natural England offers the following advice: The proposal is not necessary for the management of the European site; The proposal is unlikely to have a significant effect on any European site, and can therefore be screened out from any requirement for further assessment.

The development site is adjacent to the SPA, so we therefore recommend that the following condition is appended to the planning permission:

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).

Chichester Harbour SSSI: No objection – with conditions.

This application is in close proximity to Chichester Harbour Site of Special Scientific Interest (SSSI). However, given the nature and scale of this proposal, Natural England is satisfied that there is not likely to be an adverse effect on this site as a result of the proposal being carried out in strict accordance with the details of the application as submitted.

Conditions

All those involved with the works should be informed of the status and legal obligations attached to the designation and where the boundary of the protected area 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). Note: The sensitive receptor is the nearest point of the SPA or any SPA supporting habitat (e.g. high tide roosting site).

All materials, equipment and machinery will be stored in a designated compound within the curtilage of the property.

Protected Species

We have not assessed this application and associated documents for impacts on protected species. Natural England has published Standing Advice on protected species.

NB: Conditions and Informative recommended.

Environment Agency: No bespoke comments as the actual development will be taking place in Flood Zone 1.

Arboriculturalist: Advised verbally that tree protection should be aligned at least 7.5 metres from trunks.

NB: Condition recommended.

Building Control: Bin storage to be provided. No public sewer. Unable to confirm if means of escape is adequate at this time. Adjustments to roof lights or glazing may be required.

NB: There is ample room within the site for bin storage. Other matters may be considered as non-material amendments if necessary.

Coastal Engineering: This development is located within Flood Zone 1 and is deemed to be at low risk of flooding. The Eastern Solent Coastal Partnership has no objection to this application.

County Ecologist: The application is accompanied by a Phase 1 Ecological Survey, which provides a sound assessment of the site's current ecological value. The

vegetation within the site comprises managed lawn (although this is rather species-rich) with associated ornamental borders. The residential dwelling is considered to offer negligible potential for supporting roosting bats. Besides the intrinsic value of the lawn grassland the site is unconstrained ecologically. Overall, I consider that the level of ecological information provided is sufficient and that no further work is necessary. Therefore, if you are minded to grant permission can I suggest that the recommended ecological mitigation measures and enhancements are secured by condition:

Development shall proceed in accordance with the ecological mitigation and enhancement measures detailed within the Phase 1 Ecological Survey (EcoSupport, August 2015) unless otherwise approved in writing by the LPA. Reason: to provide ecological protection and enhancement in accordance with the Wildlife & Countryside Act 1981, NERC Act 2006, NPPF and with Policy CS 11 of the Havant Borough Core Strategy March 2011.

NB: Condition recommended.

Development Engineer - Highways: No adverse comments.

Hampshire Wildlife Trust: None received.

Waste Services Manager: None received.

Crime Prevention: None received.

Public Spaces Development Manager: None received.

Royal Society for the Protection of Birds: 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: 6

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 4 (2 objections, 1 requiring conditions and 1 in support)

Summary (Objections): Proposal is lacking clarity as existing property is a 3 bedroom bungalow. Private road is a cul-de-sac with no turning facilities. Impact of increased height in relation to Swans Walk and Simmons Green - significantly increasing mass of brick and tiles and creating claustrophobic atmosphere. Proposed southern extension would alter building line of both Swans Walk and Simmons Green with incursion into green space at end of cul-de-sac between 1 and 4 Swans Walk. This would also eliminate the possibility to extend Simmons Green into Swans Walk and so eliminate the dangerous exit from Swans Walk into Salterns Lane. Design is inconsistent with adjacent buildings. Detrimental impact on location, environment and residential properties. Details of proposal misleading. Replacement of existing garage frosted/leaded windows clear door style windows would infringe privacy to number 4

and create a feeling of claustrophobia. Agreement by number 4 to proposed wing windows to east side of projecting wing has not been accommodated. Hedge to south not clearly shown on plans. Vehicle access will increase and continue to cause friction.

Comment: The planning merits of the proposal are discussed below.

Summary (Conditions Request): No objection in principle but asks that side boundary remains properly fenced at the current position, and work times are restricted to avoid weekends, or at least to avoid Saturday afternoons and all of Sundays.

Comment: Condition and Informatives recommended.

Summary (Support): Permission should be given as the present building is looking old, tired and dated. The proposed application shows flair, good design and a development which can only enhance our wonderful location.

Comment: Noted.

7 Planning Considerations

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 on the application site and locality
- (iii) Impact on neighbouring amenity
- (iv) Developer contributions and other matters

(i) Principle of development

The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria. The demolition and replacement of the dwelling would also be appropriate in principle.

(ii) Impact on the application site and locality

The footprint of the proposed dwelling would largely reflect that of the existing. A small nib would protrude further at the north western (rear) corner with two larger protrusions to the road frontage – the foremost existing elevation would protrude further by approximately 300mm. The east side elevation would approximately follow the line of the existing and the west side elevation would be longer (due to the frontage protrusion) but approximately 100mm further from the boundary. The scale and quality of external amenity space – including the grassed area that effectively closes the cul-de-sac at the south eastern corner of the site – would not be compromised by the proposal.

The ridge of the dwelling would effectively increase by approximately 1.2 metres, bringing it to approximately 0.5 above those of the dwellings to either side. The proposed design is such that the proposal would have a bulkier overall appearance than the existing dwelling. However, the use of varying materials and the staggered footprint of the dwelling should ensure that it is not detrimentally dominant in the street scene.

In terms of design, the character of the locality is uniform, but not particularly distinctive. The proposed design is unique and contemporary and would certainly differ from that of neighbouring properties. To an extent this issue is concerned with individual choice but enough of the elements of surrounding properties would be reflected to ensure the proposed building should not be unduly incongruous amongst its neighbours, subject to suitable materials and finishes being used in its construction. On its own planning merits it is considered that the proposal would not have a detrimental impact on the character and appearance of the application site or locality.

(iii) Impact on neighbouring amenity

There are no dwellings to the rear of the site. The dwellings to each side would sit approximately in line with the development and at approximately the same distances and angles as the existing dwelling. There would be an effective increase in eaves height but it is considered that the retention of boundary treatments should ensure there would be no significant increase in overbearing effect or shadowing to these properties.

Heights of the proposed side elevation windows and rooflights can be conditioned in order to prevent overlooking in these directions. The proposal involves a significant amount of glazing to the rear elevation, but the upper elements would be serving a bedroom and an open void above a ground floor dining room. Rear first floor dormers are already a feature in the immediate locality and proposed external vertical battens should direct views northwards and restrict oblique views to the sides.

Although the head of the cul-de-sac is quite narrow, the proposal would be sited at approximately 7 metres (to the boundary) and 13 metres (to the dwelling) from the opposite property (4 Swans Walk). The scale and relationship of the proposal with this neighbouring dwelling (i.e. at a reasonable distance and to the north) is such that it should not result in a significant increase in overbearing effect or shadowing.

The proposal would introduce a significant amount of full length glazing to the front elevation. However, this would mostly be located within the stepped back element (i.e. approximately 13 metres (to the boundary) and 16 metres (to the dwelling) from the opposite property). Furthermore, there are windows in the corresponding elevation of the existing dwelling, facing on to the exposed frontage of number 4. A Silver Birch and hedge are also proposed in the front garden to offer a degree of screening between the two properties. Taking these factors in to account, it is considered that the proposal should not result in a detrimental increase in overlooking of this property.

(iv) Developer contributions and other matters

The proposal is subject to the Community Infrastructure Levy and appropriate forms have been submitted, although it is understood that the applicant is intending to claim self-build relief. As a one-for-one replacement, the new dwelling would not be liable to a financial contribution in respect of the Solent Recreation Mitigation Project.

There is no statutory objection to the proposal on highway safety grounds and parking and cycle storage, as well as bin storage, can be comfortably accommodated within the site. The northern edge of the site is subject to nationally and internationally important landscape and ecology designations and statutory consultees have recommended conditions in this regard. Because of these sensitivities, it is also considered appropriate to control future extensions and garden structures by way of a

planning condition.

8 Conclusion

The proposed demolition of the existing 3 bedroom detached dwelling and the construction of a 4 bedroom detached house would be acceptable in principle and, subject to appropriate conditions, should not have a detrimental impact on the character and appearance of the application site or locality or the amenity of occupiers of neighbouring properties. The planning application should therefore be approved.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/15/00503, subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted.

Reason: To comply with 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:

Supporting Design Statement PA/133
Survey drawing showing line of Heras fencing as suggested tree protection
0133/PA/100 (Proposed Site Location Plan)
0133/PA/101 (Proposed Block Plan)
0133/PA/200 (Proposed Site Plan)
0133/PA/201 (Proposed Ground Floor Plan)
0133/PA/202 (Proposed Upper Floor Plan)
0133/PA/203 (Proposed Roof Plan)
0133/PA/301 (Proposed North Elevation and Section AA)
0133/PA/302 (Proposed South Elevation and Section BB)
0133/PA/303 (Proposed East and West Elevations)
0133/PA/401 (Proposed South Site Section)

Reason: - To ensure provision of a satisfactory development.

- 3 Construction of the building hereby permitted shall not commence until samples and details of all external facing and roofing materials, including those to be used for fascias, battens, window frames and glazing shall be submitted to and approved by the Local Planning Authority. Thereafter only such approved materials and finishes shall be used in carrying out the development.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS12, CS16 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 4 Construction of the building hereby permitted shall not commence until detailed design of the proposed photo-voltaic roof panels shall be submitted to

and approved by the Local Planning Authority. Thereafter only such approved design shall be used in carrying out the development.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS12, CS16 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 5 No development hereby permitted nor any related site clearance shall commence until Heras fencing protection to prevent damage to existing trees on the site throughout implementation of the same has been erected in accordance with the site survey drawing approved by Condition 2 and at least 7.5 metres from the tree trunks. The fencing shall be maintained at all times while the site clearance and/or development is in progress. Any such tree which is nevertheless seriously damaged during that site clearance and/or development shall be replaced within the first planting season following the occurrence of such damage by another of the same species in the same position and of not less than Extra Heavy Standard when planted.

Reason: To safeguard the continued health and presence of such existing vegetation and protect the amenities of the locality and having due regard to policies CS11, CS12, CS16, DM8 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 6 No development hereby permitted shall be commenced until a more detailed soft landscaping scheme for the frontage of the site has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the species and planting sizes of the tree and hedging to be planted, and timing provisions for completion of the implementation of all such landscaping works.

The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions. Any item planted or retained as part of such approved landscaping scheme which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.

Reason: To ensure the appearance of the development is satisfactory and to protect the amenities of adjoining residential properties, and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 7 Development shall proceed in accordance with the ecological mitigation and enhancement measures detailed within the Phase 1 Ecological Survey (EcoSupport, August 2015) unless otherwise approved in writing by the Local Planning Authority.

Reason: To safeguard the continued health and presence of ecological features and having due regard to policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 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) shall be undertaken during the bird overwintering period (i.e. October to March inclusive). Note: The sensitive receptor is the nearest point of the Special Protection Area (SPA) or any SPA supporting habitat (e.g. high tide roosting

site).

Reason: To safeguard the continued health and presence of ecological features and having due regard to policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 9 All materials, equipment and machinery shall be stored within a designated compound within the curtilage of the property, in a location to be agreed by the Local Planning Authority prior to the commencement of the development, including any site clearance works.
Reason: To safeguard the continued health and presence of ecological features and having due regard to policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 10 The existing fencing and hedging to the east and west boundaries of the site, as shown on Survey Drawings 13137/S1 and 13137/S2, shall be retained in a wholly sound and effective condition.
Reason: To protect the amenities of adjoining residential properties and having due regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 11 All the ground floor windows to the east and west elevations of the dwelling shall have a minimum cill height of 1.75m above finished floor level.
Reason: To protect the amenities of adjoining residential properties and having due regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 12 With the exception of the proposed east elevation bathroom window, all windows at first floor level in the side elevations of the dwelling shall consist of at least two lights divided horizontally with only the top light capable of being opened, and that at a minimum height of 1.75m above finished floor level, and shall be maintained in that condition at all times.
Reason: To protect the amenities of adjoining residential properties and having due regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 13 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extension, building or structure permitted by the Order, as amended, shall be erected within the curtilage of the site without the prior written approval of the Local Planning Authority.
Reason: To safeguard the amenities of the locality and to protect the amenities of adjoining residential properties and having due regard to Policies CS9, CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.