
Site Address:	Newtown House Hotel, Manor Road, Hayling Island, PO11 0QR		
Proposal:	Retention of existing external ice rink along with ancillary structures including timber cabin, ice skate stores, roller awning and seating area for use from 1st July 2015 until 2 January 2016.		
Application No:	APP/15/00314	Expiry Date:	28/05/2015
Applicant:	Mr K Boothroyde	Team:	Team 2
Agent:	Mr G Ash	Case Officer:	Tina Pickup
	Graham Ash Architects Ltd		
Ward:	Hayling West		

Recommendation: **GRANT TEMPORARY PERMISSION**

1 Site Description

The site is located on the east side of Manor Road in Hayling Island and includes the Newtown House Hotel and its grounds. The hotel is a two/three storey red brick building from C19 with gable fronts and feature bay - it is a Grade II Listed Building. The building has had numerous extensions and alterations and includes detached leisure buildings, which are not part of the listing. Access to the site is via a one-way system with the entrance being at the southern end of the site; a single width drive serves parking spaces against the southern and eastern boundaries, and provides a loop round the edge of the site to the exit at the northern end of the site. The site is flat and level.

A high evergreen hedge extends from the north-east corner of the hotel building and extends westwards to the boundary with Manor Road. This provides a visual barrier and separation between the access drive and the existing servicing area to the north, including a mobile home for staff use (where there is an extant permission for 3No dwellings), and the lawned garden area to the front of the building serving the hotel and guests.

The frontage of this northern part of the site is marked from Manor Road by a 2m high brick wall with curved coping stone. After the hedge, in front of the hotel buildings themselves, the frontage boundary changes to a low white painted wall with mature shrubs behind. The site is surrounded on all sides by residential properties and immediately abutting the northern boundary is the private drive called Sycamore Drive serving residential properties located to the north east of the site.

2 Planning History

This site has been subject to many applications for alterations and additions, the most recent and relevant to this current application are:

APP/14/00692 - Erection of 3 No2 bed dwellinghouses with associated landscaping and car parking; and bin and cycle stores Permitted 24/09/2014

APP/15/00215 - Single storey front extension (and orangery) to restaurant Permitted 15/04/15

APP/15/00231 - Listed Building Consent for above Permitted 15/04/15

3 Proposal

This application seeks the retention of an ice rink, timber cabin and lockers that have already been placed on site. The ice rink comprises a set of heavy duty plastic squares slotted together to form an artificial ice rink surface measuring approximately 16.5m x 7m with a solid fence surround of approximately 1m high. It is sited behind the 2m high frontage boundary wall, north of the high hedge on the site that has the extant permission for the 3 dwellings.

The ancillary structures include a timber cabin measuring 4.7m x 3.6m x 3m high, used for storage of the boots, payment desk etc and there are also some individual boot lockers for customers to use for personal shoes and possessions whilst skating. Between the western end of the rink and frontage boundary wall the remaining 4-5m has some rubber matting and artificial grass with table and chairs for customers. There is also some audio equipment including a speaker for music, mounted on the cabin, and a flood light/security light erected on the frontage boundary wall facing the rink.

The use of the rink is intended for members of the public generally and not just hotel guests, with a particular emphasis on local children. A temporary permission is sought to continue the siting of the ice rink and its use between 1st July 2015 and 2nd January 2016 between 0900 and 2000 hours. The capacity of the rink is currently determined by number of boots, which is 30 pairs, so the maximum number of skaters at any one time would be 30.

The supporting documents submitted indicate a willingness to erect a temporary marquee or awning over the rink to act as screening - but no details have been submitted so this does not form part of the current application, which will therefore be determined as an open/uncovered structure.

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)
CS16	(High Quality Design)
CS5	(Tourism)
DM10	(Pollution)
DM13	(Car and Cycle Parking on Residential Development)

Havant Borough Local Plan (Allocations) July 2014

DM20	(Historic Assets)
AL1	(Presumption in Favour of Sustainable Development)

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

5 Statutory and Non Statutory Consultations

Arboriculturalist: Not relevant.

Conservation Officer: The proposed temporary development affects Newtown House Hotel, an attractive Grade II listed building that dates from the early 19th century. It is considered that the significance of the listed building is primarily focused on the architectural merits of the form and construction of the hotel (formerly a house). The spacious grounds contribute to the significance of these listed building, reflecting the status of the building, allowing for the building to be both visible and appreciated.

The erection of relatively lightweight temporary buildings for recreational purposes within the grounds of the hotel is not considered to be overly harmful to the appearance of setting of the listed building in the short term. However, a condition should be imposed requiring the site of the ice rink and associated buildings to be removed and the lawn reinstated when the development has been removed to ensure there is no long-lasting damage to the existing grounds.

I believe that if the structure were to be made permanent then this would harm the setting of the listed building and its grounds and is not something I would support. Such an activity requires a host of associated buildings that give a rather ad-hoc appearance to a sensitive site such as this. If a further proposal is to come forward (once this temporary permission has expired) then it should be in the winter months when it is traditional for structures such as this (November –End of January) to be erected.

Economic Development, Regeneration & Development: No issues or comments.

Environmental Health Manager, Community Group: I have visited the site of the existing ice rink and attached outbuildings. My concerns are that this rink is situated within 20 metres of the nearest residential dwelling adjacent the site, and within 25 metres of the residence directly opposite.

I have perused the documentation submitted with this application but cannot find anything relating to how the applicant intends to negate any potential noise issues which may arise, be they people or music related. The same applies to potential lighting issues. Recommend mitigating conditions re music and lighting

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: 24

Number of site notices: 1

Statutory advertisement: 24/04/2015

Number of representations received: 1

Summary: Objects: does not fit in with hotel and surrounding area; noise from children, especially to 10pm at night; ambience of hotel spoilt & cheapened.

Comment: Please see below.

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) Design, Impact on Street Scene and Effect on the Listed Building
- (iv) Noise, Lighting and Effect on Residential Amenity

(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 proposal seeks a temporary permission for the siting of the ice rink on the site of the 3 dwellings approved under APP/14/00692, permitted 24/09/2014. This extant permission would need to be commenced by September 2017. This application seeks permission for 6 months use, commencing from 1st July 2015 to 2nd January 2016 to secure usage throughout the school holidays - summer, October half term, Christmas and New Year's Eve.

Being an additional recreational use on an existing hotel site then as a matter of principle Policy CS5 would support the improvement of tourist facilities and recreational opportunities, subject to appropriate detailed considerations.

(ii) Design, Impact on Street Scene and Effect on the Listed Building

The ice rink is a moveable temporary structure that slots together - it is the siting of it on the land and its use that requires planning permission; though once erected it has a visual degree of permanency. The chosen site does not affect the setting of the Listed Building - it is totally screened from the hotel building itself by both the high evergreen hedge and frontage 2m high wall. Similarly the frontage wall largely screens the rink from Manor Road itself, though glimpses of it are possible via the exit drive which runs immediately north of the rink. Occupiers of the dwelling to the north, Briar Bank, and those to the east, in Sycamore Drive will also be able to see the rink, as would occupiers of the dwellings opposite from upstairs windows, above the boundary wall.

Overall, it is considered that as a temporary structure the visual appearance of the rink is not overly harmful to either the Listed Building, street scene or immediate neighbours. This may not be the case if the proposal had been for permanent retention of the structure - the plastic gaudy rink and wooden shed like cabin are rather ad hoc additions that are not good quality, permanent structures appropriate for long term retention on the site.

(iv) Noise, Lighting and Effect on Residential Amenity

It is proposed to use the rink between 9am and 8pm and therefore associated music and flood lighting could also be used as required between these hours. The rink is close to residential properties and late evening use would be intrusive and harmful to quiet amenity. As an open rink the noise from users voices, mainly excited children, would be apparent. This would mainly occur during school holidays when in good weather (it would be unlikely to be used when raining) and therefore would not be continuous. As above, on the basis that permission is sought just for a temporary period only i.e. one season from 1st July 2015 until 2 January 2016 and only until 8pm, then any affect on residential amenity would also be temporary. The use of the

rink this summer and autumn would enable its impact to be assessed and if complaints are received then this would inform any future decisions on any continued or alternative siting.

With respect to music, the cabin building has power and a loudspeaker is erected on the north elevation facing the rink. Music would be played whilst skating takes place and the volume of this in such close proximity to residential dwellings needs to be kept to a reasonable level - to this end the Environmental Health officer has advised that due to varying background levels it is impossible to state a decibel level limit, and that mitigation measures need to be in place for the successful management of music on site - eg a cut off box for when ambient levels get to a certain point or having tested and agreed levels with neighbours first. Until such time as these measures have been agreed it is recommended that no music be played in association with the rink. However, under the Environmental Protection Act the combined volumes of voices and music should not be audible at the boundary of the nearest dwelling to cause a statutory nuisance, and this can be monitored and controlled through that legislation.

With respect to lighting, a flood/security type light has been erected on the boundary wall post, facing east over the rink. Later in the year it will be necessary to have this light on whilst skating in the afternoon/evening. Since it faces the rink and the road behind is street lit, the positioning is considered appropriate. However no further lighting should be installed without details first being submitted and approved.

Policy DM10 seeks to protect the health and safety of nearby occupiers from pollution caused by, amongst other things, noise and light, and recommends that external lighting is kept to a minimum level of illumination and duration for operational purposes. Therefore to be compliant with this policy and CS16 e) it is recommended that the hours of both the floodlight and music be conditioned to match the hours of the use of the rink.

8 Conclusion

The siting of the ice rink is the same as the extant permission for the 3 houses and as such a temporary permission only is sought. On the basis that the rink will only be used between 1st July 2015 and 2nd January 2016 between the hours of 9am and 8pm, then it is considered that the harm to adjacent residential amenity from noise and lighting is likely to be minimal and controllable through Environmental Health legislation. The 6 months will be a trial period to assess the impact of the use, should another permission be sought in the future.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **GRANT TEMPORARY PERMISSION** for application APP/15/00314, subject to the following conditions:

- 1 The ice rink and ancillary structures hereby approved shall only be used between 1st July 2015 and 2nd January 2016, after which date all structures shall be permanently removed from the site within one month, unless the prior written consent of the Local Planning Authority has been obtained in writing for a further period.

Reason: The structures and use are of a type not considered suitable for permanent retention and having due regard to policies CS11, CS16 and DM10 of the Havant Borough Core Strategy 2011.

- 2 The ice rink hereby permitted shall only be used for skating between the hours of 0900 and 2000 hours. Furthermore the associated music playing and illumination of floodlights shall also be limited to between the hours of 0900 and 2000 hours and not be played or lit outside these times.
Reason: To protect the amenities of nearby residential properties and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 3 No acoustic or amplified sound or music (live or recorded), shall be used on site in conjunction with the ice rink, including the existing speaker on the cabin, until a detailed noise management scheme (including proposed mitigation measures) has been submitted to and agreed by the Local Planning Authority. Thereafter, the approved noise management strategy shall be implemented at all times.
Reason: To protect the amenities of occupiers of nearby premises from unreasonable noise levels and having due regard to policies CS16 and DM10 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework, 2012.
- 4 No additional floodlighting or other form of external lighting scheme shall be installed on site unless it has been approved by the Local Planning Authority. Such details shall include, location, height, type and direction of light sources and intensity of illumination. Any lighting scheme agreed in writing by the Local Planning Authority shall not thereafter be altered without prior consent other than for routine maintenance, which does not change its details.
Reason: To protect the occupants of nearby properties from light disturbance/ pollution having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 5 At no time shall there be more than 30 skaters on the rink at any one time.
Reason: To control the intensity of use of the rink, to protect the amenities of nearby residential properties having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 6 The development hereby permitted shall be carried out in accordance with the following approved plans:

Location and Block Plan Drawing. No 15:021:01
Proposed Site Plan Drawing. No 15:021:02
Cabin/storage Building Drawing. No 15:021:03

Reason: - To ensure provision of a satisfactory development.