
Site Address:	66 Bath Road, Emsworth, PO10 7ES		
Proposal:	Repair and raise sea boundary walls and new low wall/replacement gates.		
Application No:	APP/14/00780	Expiry Date:	18/09/2014
Applicant:	Mr R Bailey	Team:	Team 2
Agent:	Miss J Sanderson	Case Officer:	Stephen Cantwell
	Genesis Planning		
Ward:	Emsworth		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 A detached house in a prominent waterside location, a minor headland, at the southern end of Bath Road. To the south is the car park to the Emsworth Sailing Club. The Mill Pond lies to the north. The front boundary adjoins a narrow section of Bath Road and comprises a privet hedge of approx 2m height with gates and wooden posts to 2m height at the south west corner and a detached garage at the north east corner.
- 1.2 The detached house is sited approximately centrally in its plot surrounded by lawns and some sporadic shrubs and flower beds, notably there is a mature willow tree at the north east corner. The waterside edge comprises a block and concrete sea wall parts of which are in a deteriorated condition, collapsing in places. The house is an attractive mid C19th house in good repair.

2 Planning History

None relevant e.g Tree Pruning in 2013.

3 Proposal

- 3.1 The proposal is in two parts:
 - 1) to repair replace and variously raise sections of the sea wall at the edges of the Mill Pond in order to increase flood defence of no 66 Bath Road and,
 - 2) construct a 0.8m high brick wall along 20m of the Bath Road frontage between the gate posts and garage and south of the gates.

4 Policy Considerations

National Policies

NPPF 2012 and associated National Guidance

Local Plan Core Strategy (2011) and Allocations document (2014)

- | | |
|------|---|
| CS11 | (Protecting and Enhancing the Special Environment and Heritage of Havant Borough) |
| CS15 | (Flood and Coastal Erosion) |
| CS16 | (High Quality Design) |
| DM8 | (Conservation, Protection and Enhancement of Existing Natural Features) |

DM9 (Development in the Coastal Zone)

DM20 Historic Assets

DM25 Managing Flood Risk in Emsworth

Listed Building Grade: Not applicable.

Conservation Area: Emsworth

5 Statutory and Non Statutory Consultations

Environment Agency:

No objection

Flood risk to the applicant and the surrounding area will not increase as a result of the proposed development. Recommends informative regarding need for EA consent for works due to 'Main River' status. An application for consent may take up to 2 months to determine.

Chichester Harbour Conservancy:

No objection.

Requests the following:

- i) Schedule / samples of materials and finishes to be agreed prior to construction;
- ii) Timing of works to avoid the period 1st October - 31st March (the overwintering bird period);
- iii) Construction methods to avoid any pollution entering the Mill Pond or wider.

HCC Ecologist:

No objection.

No overriding ecological constraints at this site provided that appropriate pollution prevention measures are implemented to safeguard Millpond Site (SINC) and Chichester Harbour (SSSI & SPA). There is a very real risk of potential pollution incidents with e.g. fuels, inorganic substances entering the water or any exposed mud during the works. Therefore that a section should be added to the submitted Method Statement, or alternatively a planning condition to deal explicitly with measures to avoid direct or indirect pollution entering the water during construction, in accordance with guidance e.g. Pollution Prevention Guidance PPG 5 or 6.

Conservation Officer

No objection.

This is an attractive and prominent detached property. The existing sea walls are in a poor state of repair in terms of appearance and functionality. Proposed works are reasonable, the rendered finish would not harm to the character of the conservation area or the host dwelling.

The replacement gates and new boundary wall to the Bath Road frontage is an enhancement compared to the existing configuration. The height is acceptable
Recommends a condition requesting a sample of materials

Natural England :

No objection.

The is in close proximity to the Warblington Meadow and Harbour SSSI, Ramsar Site, SPA and SAC. Development should be in strict accordance with the details submitted and is not likely to have a significant effect on the interest features for which the SPA, SAC have been classified. Appropriate Assessment is not required. NE is also satisfied that it will not damage or destroy the interest features for which the Chichester Harbour and Warblington Meadow SSSI's have been notified. Any geological interest in the area should be considered.

Coastal Engineering Partnership:

No objection.

The proposals are in line with the Coastal [defence] Strategy. Recommends that the applicant ensures that residual flood risk is managed on this site by compiling a flood warning and evacuation plan for the property. A management approach for the operation of the flood gates should be identified in this plan.

Landscape Team:

No objection.

The wall is visually softened by existing planting. Assuming that some will be removed during construction new planting should be added to soften the appearance of the new, higher wall. Also recommends that Ecologist's advice is followed.

Tree officer

No objection.

Works will not pose any above ground issues to the Willow tree on site. Suggested condition:

Protective fencing in line with BS:5837 (2012) to be erected prior to any development on site commences. A plan showing the line of protection should be submitted and agreed in writing to clear this condition.

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: 3

Number of site notices: One

Statutory advertisement: 08/08/2014

Number of representations received: None

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) Flood risk and defence
- (iii) Visual Impact & character of Conservation Area
- (iv) Nature conservation & tree

(i) Principle of development

7.2 The site lies within the urban area where the principle of development is acceptable, subject to detailed considerations and policies as discussed below. The nature of the works is such that there would be no in-principle objection outside the urban area. The site is within the defined coastal zone, the Emsworth Conservation Area, flood zone 3; it adjoins the Chichester Harbour AONB and several ecological designations, including the European-protected harbour

(ii) Flood risk and defence

7.3 In the high risk / functional flood plan areas of flood zone 3, water-compatible development, such as flood defence infrastructure is acceptable under the NPPF and related guidance if it is safe, does not result in a loss of floodplain storage, does not impede water flows and does not increase flood risk elsewhere. Local policy DM25 provides support for development for flood risk management in Emsworth, albeit it is not concerned with householder development and is directed towards the wider flood alleviation of the Emsworth Are. Nevertheless, the proposal is intended to increase flood defence at this particular property, which is consistent with the thrust of DM25.

7.4 The Environment Agency (EA) has raised no objection, and mindful of the NPPF requirements, it has stated that the works will not increase risk of flooding in the surrounding area. Likewise the Coastal partnership has confirmed no objection and the recommended flood risk management plan can be added as an informative.

(iii) Visual Impact & character of Conservation Area

7.5 The existing sea wall is of varying heights, on average 20 - 30cm above the level of the garden and in places, 80cm above the very narrow, steep mud edge around the outer perimeter, which comprises the bank of the Mill Pond. The added height will bring this to a more uniform height, giving a maximum 1.1m height above the mud bank. The new and replacement blockwork construction would be rendered, as is the existing, which has acquired an aged appearance, blending with the colours of the surroundings; the same can be expected of the proposed works. It is unlikely that this will harm the appearance or character of the Conservation Area, coastal zone or

AONB. The use of replacement planting can be required by condition, in order to assist in the softening of the new work.

- 7.6 At the Bath Road frontage, the proposed dwarf brick wall and piers would compliment the range of boundaries found in the street. The applicant proposes the use of Freshfield Lane, Michelmersh Multis to match the existing garage; a sample has been viewed on-site and is acceptable, a condition can be used. The works will involve the loss of substantial removal of the existing 2m privet hedge. It is important to the character of the street that replacement planting is undertaken of appropriate species; a planning condition can be used.

(iv) Nature conservation & tree

- 7.7 The raft of policies DM8, CS11 and DM9 seek to safeguard nature conservation interests. By law development must not have a significant effect on the EU protected Harbour and NE has confirmed that it is satisfied on this point. The HCC Ecologist has recommended that an addition be made to the method statement to describe measure to prevent pollution (e.g fuel spillages) during works. The applicant has agree to this. The Harbour Conservancy has also requested a condition to limit the timing of the sea wall works, but this is not required by NE & the HCC Ecologist, provided that the applicant's method statement, which states that heavy plant is not to be used, is adhered to. The tree officer recommends a condition to safeguard the willow tree during works, this can be merged with the condition to require an addition to the method statement information.

8 Conclusion

- 8.1 The works will make little visual difference and no negative impact on flood risk off-site. It is recommended for approval subject to conditions to include new planting and adherence to the method statement, including a pollution control section which is to be submitted for approval.

9 **RECOMMENDATION:**

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/14/00780, 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 external materials to be used in the development hereby approved, shall be as stated in the current application and in particular,
 - i) the facing brick to the new wall and piers at the Bath Road frontage shall comprise Freshfield Lane, Michelmersh, First Quality Multi Facings and,
 - ii) the repaired and replacement sea wall shall be finished with natural render

Unless the Local Planning Authority gives prior written approval for any

variation.

Reason: In the interests of the amenities of the area and having due regard to policies CS16, CS11 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 3 The works hereby approved shall be carried out in full accordance with the Method Statement 'Swan House - Bath Road, Emsworth' and in addition:

i) Prior to the commencement of development relating to the sea wall hereby approved, including the removal of any existing sections of the sea wall, an additional method statement shall be submitted to and approved in writing by the Local Planning Authority to explain measures which will be undertaken to minimise the risk of pollution arising from the works hereby approved, including the spillage or discharge of fuels or inorganic substances, from entering the water environment, (the Mill-Pond, sea or groundwater). These measures shall be fully adhered to during the undertaking of development works, and

ii) Prior to the commencement of development relating to the sea wall hereby approved, including the removal of any existing sections of the sea wall, tree protective fencing shall be erected in accordance with BS:5837 (2012) 'Trees in relation to design, demolition and construction' and a plan showing the position of the protective fencing which shall have first been submitted to and approved in writing by the Local Planning Authority. The agreed fencing shall be retained in situ during the undertaking of development works

Reason: In the interests of nature conservation and tree protection in the area, to minimise the risk of pollution of the surrounding area, whether direct or indirect, which includes Chichester Harbour, which is protected under European and UK Nature Conservation law, the Mill Pond and Warblington Meadows which are variously designated as Sites of Special Scientific Interest and Sites of Importance for Nature Conservation. To accord with policies CS11 and DM8, 9 & 10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 4 i) During the first planting season following the substantial completion of the front boundary wall, any boundary hedging removed shall be replaced with new hedge planting, details of which shall first be submitted to and approved in writing by the Local Planning Authority.

ii) During the first planting season following the substantial completion of the replacement and raising of the sea wall, new planting of shrubs and/ or ground cover plants sufficient to soften the appearance of the wall, shall be carried out in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority.

The planting details referred to in i) & ii) above shall specify the distribution and species of plants, their positions and planting sizes. Any plant which forms part of this planting 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

having due regard to policies CS11, CS16, DM8 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

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

14047 - 10: Site Location Plan.

14047 - 01: Elevations.

14047 - 02: Plans, Elevations & Sections

Method Statement: Swan House - Bath Road, Emsworth (received on 22nd July 2014)

Planning, Heritage, Design & Access Statement - Genesis Town Planning.
July 2014

Reason: - To ensure provision of a satisfactory development.