Les Weymes Planning Consultancy Ltd

18 Limberline Spur
Hilsea
PORTSMOUTH
Hampshire
PO3 5HJ

Phone 02392 691843
Mobile 07768 647562
Company Reg No. 04257793
VAT Reg No. 837 1089 20
Email les.weymes@btinternet.com

24 April 2011 My Ref : **Hayling14FishermansWalk**

DESIGN AND ACCESS STATEMENT

Proposal: PROPOSED CONSTRUCTION OF 1 No. 2 BEDROOM TOURISM RELATED DETACHED PROPERTY INCLUDING GROUND FLOOR CAR AND BOAT STORAGE FACILITY AND UTILISING EXISTING ACCESS TO EASTOKE AVENUE -
responding to Planning Appeal decision APP/X1735/A/10/2119630

Site: 14 FISHERMANS WALK, EASTOKE, HAYLING ISLAND, PO11 9QU

Introduction

The application site - 14 Fishermans Walk is located on the north shore of Eastoke peninsula overlooking Chichester Harbour. The site previously contained a dwelling the ruins of which were finally removed by the applicant in 2006. The site other than its immediate neighbours at 10, 12 and 16 Fishermans Walk is set in a large area of tourist caravans and mobile homes all of which are single storey. The height above sea level of the application site is 2.9 m AOD although the site is currently protected by a modern sea wall which has been upgraded to protect to a height of 3.61 m AOD.

Planning Appeal decision **APP/X1735/A/10/2119630** dated 9 December 2010 [paragraphs 15, 16, 20, 21, 22 & 23] considered the road transport infrastructure and flood risk as main issues with the Inspector concluding that a financial contribution was not fair or reasonable and because the site which has an extant Caravan Site Licence could be occupied by single storey living accommodation at a lower level than the predicted extreme tidal event its replacement with first floor living accommodation at a higher level than the extreme tidal event - the safety risk to occupiers would be reduced. The Inspector was anxious to avoid the possibility of a caravan being sited at the appeal location in addition to the development which led to the grounds for dismissing the appeal. To avoid the most severe winter conditions the Inspector advised that occupation of the new development should be restricted to dates between 1 February and 30 November each year.

1) Site analysis and evaluation

The application site is located in the south eastern part of Hayling Island in a foreshore position overlooking Fishery Creek and Chichester Harbour. The application site lies

between No's 12 and 16 Fishermans Walk and together with No. 10 and 21 Fishermans are the only residential properties present. The site of No. 14 Fishermans Walk has a history of having accommodated a single storey pitch roof dwelling the remaining walls of which were removed from the site in October 2006 leaving only the concrete slab floor. No. 12 is a two storey flat roof dwelling and No. 16 is an existing part flat and part pitch roof bungalow. Planning permission has been granted to construct a first floor under a pitched roof.

Apart from the identified residential properties the surrounding area comprises a boat yard (Sparkes Marina) and mainly caravan parks presumably restricted to 8 month occupation. The application site also retains a Caravan Site Licence No. 225, which permits permanent siting of a caravan but restricts occupation to 1 March to 31 October each year - a period of 8 months.

The application site shares its vehicular access with No's 12 and 16 Fishermans Walk. Together with 16 Fishermans Walk the application site also owns one of the two private contained slipways. The caravan parks and four residential properties gain access from a private unmetalled cul-de-sac leading north from Eastoke Avenue approximately 100 m to the west.

Local Plan Policy

Hampshire County Structure Plan suggests that the following policies need to be considered:-

C1 & C2 - Countryside
C4 - The Coast
E2 - Flooding
E6 & E7 - Landscape
T5 - Parking

The Havant Borough District Wide Local Plan suggests that the following policies need to be considered:-

C1 - Countryside
L1 - Chichester Harbour AONB
C3 - Coastal Zone
F1 & F2 - Flood Risk Area
TO5 - Static Caravan Development
D1 - High Quality Design
T9 - Parking
T11 - Developer contributions to Green Transport Infrastructure

Although a 2005 amendment to the Local Plan designated this small northern section of the foreshore including No's 21, 10, 12, 14 (site of) and 16 Fishermans Walk as Countryside the proposed tourist building, located between No's 12 and 16, could not be described as prejudicing the questionable countryside designation.

National Government Guidance

PPS7 - Sustainable development in Rural Areas
PPS25 - Development and Flood Risk

Flooding concerns were addressed by the Inspector during the Hearing Appeal on 23 November 2010. Please refer to the submitted Flood Risk Assessment.

Green Transport Infrastructure Initiatives

Following the Appeal Hearing the Inspector concluded that the payment of a financial contribution was not fair or reasonable for a development of the scale and kind of the application proposal.

Planning History

93/58506/000 - following the signing of a Section 106 planning Act Agreement (to surrender the caravan licence once permission was implemented) was granted in 1995 with a condition requiring development to commence within 5 years. Other than removing the bulk of the then existing residential structure the development was not commenced. In 2006 the remaining parts of the residential structure were removed leaving the concrete floor slab only.

Sometime in 2005, without the knowledge of the immediate full time residents the frontage land including the existing dwellings was through statutory procedures designated as 'Countryside'. The applicant when purchasing both the site of No's 14 & 16 Fishermans Walk was unaware of the new designation and at the time expected to make application to renew the 1995 planning permission.

07/72215/000 - was submitted on 28 March 2007 which firstly raised potential conflict with the new designation and also the PPS25 identified flood risk issues related to a predicted 4.4 m AOD extreme tide expectancy in 2115. This planning application was considered by the Council's Planning Committee in June 2007 with the refusal notice being dated 15 June 2007.

09/72215/002 - for the construction of 1 No. 2 bed tourism related detached property including ground floor car and boat storage facility and utilising existing access to Eastoke Avenue was refused on 25 August 2009. The refusal was appealed and a Hearing was held on 23 November 2010 with the Inspector dismissing the appeal on 9 December 2010 but the decision letter gave guidance on how a further application could be considered.

Design Approach

The proposed two storey tourist building remains carefully sited to respect the amenity and outlook of both No's 12 & 16 Fishermans Walk. Previous reasons for refusal influenced the design, building bulk and siting to be much more in character with the existing three dwellings.

The ground floor of the building will be fitted out as a garage for two cars and a boat store for two boats with a lift and stairs to the first floor. The first floor set at a height of 5.2 m AOD will be the only living floor - providing two bedrooms, kitchen, bathroom and lounge with balcony looking north into Chichester Harbour. The building will be provided with a conventional pitch roof.

The materials proposed for external finish have reflected its waters edge location suggesting mainly colour stained ship-lap cladding with grey flat roof tile or artificial slate. One set of drawings have been coloured to illustrate the concept of finish but the applicant wishes the Local Planning Authority to know that external finish is a matter that he would willingly discuss.

The views towards Chichester Harbour are of importance as is the privacy to No. 12 Fishermans Walk which is shielded from the application site by existing hedging and shrubbery. There will be no need to affect this screen and the new dwelling is set approximately 1.8 m off the boundary allowing regular hedge management. The Inspector addressed this matter in Paragraph 24 of the decision letter.

The proposed dwelling will include within its curtilage the most westerly of the two contained slipways. The second contained slipway will be retained by No. 16 Fishermans Walk.

Vehicular, Pedestrian and Boat Access

Vehicular and pedestrian access will be achieved by using an existing private right of way which connects with Eastoke Avenue and accommodates access to No's 21, 10, 12 and

16 Fishermans Walk. The immediate and local accessway serving these dwellings is 3 m wide.

A consortium of local residents are currently obtaining quotations to hard surface the full length of the private right of way. Not only would this assist those who live there and the holiday caravan occupants but most importantly emergency services, ambulances and fire engines will more easily enter the area. Should Hayling Island experience widespread tidal flooding to the predicted level of 4.4 m AOD it has to be accepted that escape by road will be extremely difficult and being a tidal incident , where possible it must surely be sensible for residents to remain in their homes at first floor level. Many existing properties and caravans are single storey and escape may need to be by the use of boats with helicopters for the most urgent cases.

The proposed tourist building has been designed to accommodate a safe haven such that the immediate attention of the emergency services would be unlikely. With all living accommodation located at first floor, to ensure full accessibility the proposed dwelling includes a small passenger lift linked to the internal stairway.

Sustainability

The proposed tourist building will be constructed to accord with the principles of sustainability in terms of minimising thermal loss and acoustic separation.
Car use in this part of Hayling Island cannot be avoided . The proposed layout can easily accommodate 2/3 vehicles.

Unilateral Undertaking

The applicant instructed his solicitor to prepare an appropriate undertaking to offer the surrender of the Caravan Site Licence No. 225 immediately prior to the commencement of construction following the grant of conditional planning permission which is submitted with the planning application

Conclusion

The applicant has taken guidance from the Inspectors letter of decision dated 9 December 2010 and believes that by including a Unilateral Undertaking offering to surrender the Caravan Site Licence No. 225 and by agreeing not to challenge a condition restricting the occupation of the tourist building to dates between 1 February to 30 November each year, planning permission should now be granted.

Les Weymes DipTP, MRTPI cc. Mr Oliver Lund