

P/15/1256/FP

HALL & WOODHOUSE LTD

HILL HEAD

AGENT: PHILIPS SURVEYORS
LLP

BASEMENT EXTENSION, NEW EXTERNAL CLADDING, REPLACEMENT WINDOWS, ALTERATIONS TO REAR GARDEN INCLUDING NEW FENCING AND ENLARGEMENT OF BIN STORE.

OSBORNE VIEW HOTEL 67 HILL HEAD ROAD FAREHAM PO14 3JP

Report By

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Site Description

The application site is located on the southern side of Hill Head Road, within the defined urban settlement of Hill Head/Stubington. The property comprises a long established public house/restaurant and is a popular destination within the wider community due to its views across the Solent to the Isle of Wight. The area is largely residential although across the road to the north are other commercial premises. Also on the northern side of Hill Head Road lies the large surface car parking for the public house, which comprises 79no. car parking spaces.

The existing building, comprises a part single storey and part two storey element at road level, although there are a further two floors (mid floor and basement) down to the garden level which is level with the beach. The public house/restaurant is set over the ground floor level, mid-floor level and within the garden, with the basement level comprising a managers flat, toilets and storage. The first floor level comprises existing staff accommodation.

Description of Proposal

This application seeks to extend the existing managers flat at basement level by 5 metres to provide sufficient space for the existing manager and his family, together with the provision of a roof terrace over this extension. Other works include a 2.7 metre extension onto the garden deck, a 9 square metre extension to the existing bin storage area, fencing to the garden and the general external renovation of the property, including replacement cladding and new windows.

Included within this application is information regarding the provision of additional tables and chairs (covers) within the main public house garden, together with the re-cladding of the beach wall, which proposes low level lighting along the wall and the laying of paths in the garden. These aspects however do not require planning permission and are not therefore a material consideration for the determination of the planning application.

The provision of the raised terrace above the proposed extended managers flat and the existing garden decked area would be upgraded with glazed balustrades and the staircase from the raised terrace to the garden terrace would be re-sited to improve the aesthetics of the rear elevation when viewed from the beach or Solent.

During the course of the planning application and following discussions with interested parties, a number of amendments have taken place, including the reduction in the width of the raised terrace, and provision of a 1.8 metre high obscure glazed screen along the western elevation to prevent overlooking into the patios of the neighbouring properties.

Additionally, 'hit and miss' fencing would be erected on the east and west boundaries of the garden in order to minimise overlooking and noise for the gardens of the neighbouring occupiers. A dog waste bin has been removed from the plans and the main bin storage area (presently situated in the car park) would be upgraded and extended.

Policies

The following policies apply to this application:

Adopted Fareham Borough Core Strategy

CS4 - Green Infrastructure, Biodiversity and Geological Conservation
CS17 - High Quality Design

Adopted Development Sites and Policies

DSP1 - Sustainable Development
DSP2 - Environmental Impact
DSP3 - Impact on Living Conditions
DSP13 - Nature Conservation

Other Documents:

Non-Residential Parking Standards (September 2015)

Relevant Planning History

The following planning history is relevant:

P/03/1935/FP Demolish Conservatory & External Alterations & Provision of Decking at Ground Floor, Demolish Garages in Car Park
PERMITTED 18/02/2004

P/10/1002/FP External Landscaping Improvements including Timber Boardwalks, Timber Decking, Small Beach Hut Style Cabins
REFUSED 07/02/2011

P/10/1118/FP Installation of Panoramic Window to Mid Floor Dining Room, New Fire Exit & Side Window Arrangement, Metal Fire Escape Stair Landing and Flight Extension at Side to Accommodate Above.
PERMITTED 31/01/2011

Representations

Third Party Comments -

Forty one respondents have objected to the proposed development. Whilst many letters highlighted that the visual improvements to the building were welcomed, the key matters of concern raised were:

- Increased traffic and car parking issues at peak times;
- Increased noise and loss of privacy in the garden;
- Negative impact of the provision of a children's play area in the garden;
- Concern regarding a potential 'Phase 2 - clarified as only a potential modernisation of the kitchen';

- Overlooking from the raised deck; and,
- Additional light pollution from the garden and deck lighting.

Consultations

EXTERNAL

Natural England -

Solent and Southampton Water SPA/Ramsar: No objection. Lee-on-the-Solent to Itchen Estuary SSSI: No objection subject to Informative regarding storage, access or encroachment within the SSSI and notification to contractors regarding its location.

Hampshire County Council (Archaeology)-

Some area of archaeological potential, however the small scale of the works means it would be unlikely for any unrecorded archaeological features to be uncovered. No objection.

INTERNAL

Environmental Health -

Residential Noise: No objection subject to provision of screen to flank of raised terrace and fencing to the garden.

Commercial Waste: Current waste storage is unacceptable, increased capacity required due to increase in potential covers. Recommend increased capacity, works to improve ground between storage area and Breezes Cafe, and low level lighting installed in bin storage to enable staff to properly put waste in bins.

Highways -

Only a minimal increase in outside seating areas, which could be created in the garden without planning permission, and therefore the proposals would not have any material impact on the overall level of potential activity. No objection on highway grounds.

Monitoring and Enforcement (Dog Waste) -

Dog waste bins already exist either end of the beach, which are controlled by the Council. Advise removal of proposed bin as this would require specialist contractor to remove the waste. Advise re-locating existing general waste bins further from the beach.

Ecology -

Acknowledge no objection on the designated sites (Solent and Southampton Water SPA/Ramsar and Lee-on-the-Solent to Itchen Estuary SSSI), but highlight that the application has not been supported by an ecological survey for protected species, and in particular bats.

Planning Considerations - Key Issues

The following matters represent the key material planning considerations which would need to be assessed to determine the suitability of the development proposal. The key issues

comprise:

- Amenity of neighbouring occupiers;
- Visual amenity;
- Highway safety and car parking;
- Nature Conservation.

Amenity of neighbouring occupiers:

During the course of the planning application, a number of amendments have been sought following Officer visits to the site, detailed discussions with consultees and the immediate neighbours and having regard to the various comments received from the interested parties.

The proposed raised terrace over the extended manager's flat has been reduced in width by 2.6 metre, and a 1.8 metre high obscure glazed screen provided on the west elevation, and one metre along the south elevation of the terrace. Following this amendment, it is considered that the amenity of occupiers of the neighbouring Coastguard Cottages would be protected sufficiently not to warrant a reason for refusal on this ground.

In terms of the garden terrace extension (which would increase in depth by 2.7 metre), the provision of additional screen fencing to the east and west boundaries of the garden with 'hit and miss' fencing would ensure a long term means of protecting the amenity of occupiers of both the users of the communal garden for the Coastguard Cottages and the neighbours to the east. The fencing would be at staggered heights along its length to ensure that views of the Solent from the main public house and from the neighbours properties would be maintained as much as possible.

In addition, the children's play area was removed from the development proposals due to the concerns raised by a number of the third party objectors. It is therefore considered that the proposed extension and provision of additional terracing will not result in a detrimental impact on the amenity of neighbouring occupiers.

Visual Amenity:

The current appearance and maintenance of the building externally is relatively poor at present, largely a result of the impact on the building owing to its harsh maritime environment. The proposed external works would see the rendered and timber weatherboarding replaced with two tone synthetic (timber effect) weatherboarding, with the existing plinth clad in bricks. Additionally, all the windows would be replaced with new aluminium windows, and rainwater goods replaced with cast iron effect guttering and rainwater goods.

On the rear elevation, the balustrades for the proposed and existing decked areas will be replaced with stainless steel balustrades and glazed panels, which would match those on the proposed external staircase. It is considered that the proposed works would result in a significant visual improvement in the appearance of the building where viewed from both the street scene (along Hill Head Road), and when viewed along the beach. Many of the comments from the third parties have highlighted that they have raised no concerns to the overall improvements to the building, and acknowledge that the building needs a general external renovation.

Highway Safety and Car Parking:

As stated above the existing premises has a designated private car park with 79no. car parking spaces. In addition, the car park also provides an area for cycle parking for patrons. The car park operates a barrier system to ensure that the users of the car park are limited to that of the users of public house.

The public house/restaurant use has been in operation for a considerable period of time, and prior to its use as a public house/restaurant it was in use as a hotel, as early as 1890. Since that time, the use of the site has evolved to the current use as a public house, nevertheless the whole site, including the garden area benefits from an unfettered use associated with the public house/restaurant (A3/A4) use class. It is therefore beyond the remit of the Local Planning Authority to retrospectively impose restrictions on the number of covers (tables and chairs) within the site and cannot therefore impose current car parking standards on the site. In addition, the adopted Non-residential Car Parking Standards apply to the provision of additional floor space. Only external seating is being increased, which given its use cannot be used as intensively as internal seating, the level of impact is largely only intermittent depending on the prevailing weather conditions.

Whilst the garden terrace is proposed to be extended 2.7 metre further into the garden, the resultant seating area is not increasing as the space is currently used for seating in the garden. Therefore the only additional floor area being created is the part of the raised terrace over the manager's flat extension. Having regard to the car parking standards, the additional floor area created by the raised terrace, which measures 64 square metres, and based on the Standards of one space per 5 square metres, this should require the provision of an additional 13no. spaces within the car park. However, the 64 square metres increase represents only a 5% increase in the total floor area, and is therefore considered to be a de minimis increase in the overall capacity available to the Osborne View.

It is considered that the car parking issue at the Osborne View is largely limited to peak times of the year (summer and school holidays during periods of warm weather) when the garden is more intensively used. This time of year add additional pressures on Hill Head due to its coastal location when many holiday homes are being used and more people in general will make their way to the beaches. Whilst the Osborne View is seeking to maximise its use of the site during these peak times, given the restrictions on the use of the car park, the owners of the facility are doing all they can to ensure that the car park is purely limited to those users of the Osborne View, without factoring in the natural increase in traffic and users of Hill Head during the summer months.

It is therefore considered that the small increase in floor area proposed by the Osborne View is not a significant increase beyond their existing floor area, and that the proposals would not have a significant detrimental impact on the highway safety or car parking beyond the existing situation. This approach is supported by the Council's Highways Officer who raised no objection to the scheme.

Nature Conservation:

The site is located immediately adjacent to Hill Head beach, where at the low water mark lies the Solent and Southampton Water Special Protection Area (SPA)/Ramsar Site and the Lee-on-the-Solent to Itchen Estuary Site of Special Scientific Interest (SSSI). The boundary of these international and national designations is approximately 16 metres from the southern boundary of the site (existing beach wall). Whilst the beach along this stretch of the Hill Head seafront is privately owned, there is unrestricted public access to it throughout the year. Concern has been raised regarding the intensification of the use of the site and its

impact on these important nature conservation designations, which, having regard to Policy DSP13 which highlights that where proposals would have a detrimental impact on sites of nature conservation importance permission should only be granted where the Planning Authority is satisfied that impacts are outweighed by the need/benefits of the development, or where adverse impacts can be minimised or mitigated.

It is considered, following a consultation response from Natural England that the proposals will not have a detrimental impact on the SSSI or the SPA. The SSSI designation relates to the protection of the Littoral Sediments (essentially molluscs, oysters and barnacles) beyond the low water mark, and the SPA seeks to protect habitats for over wintering birds, when the use of the beach and garden area for the Osborne View are more limited. The potential increases in activity at the Osborne View would be minimal compared to the existing and potential users of the beach during the peak times of the year.

In terms of the impact on protected species, despite the comments from the Council's ecologist, the development proposal does not impact on the roof of the property. Therefore the greatest potential impact on bats as a result of the development proposal is from the re-cladding of the building. Due to the limited level of external works to the property, coupled with the location of the site in a busy beach side location, away from suitable open spaces and hedgerows for foraging for bats, the works are considered likely to have a low impact on any local bat population. A preliminary survey has been requested, and an update will be provided at the Committee meeting. An informative has been added to the application highlighting the potential risk to bats and other protected species.

Conclusion:

In summary, it is considered that the relatively minor scale of the proposed development, coupled with the wider visual improvements to the maintenance and upkeep of the building that the resultant works would have a visual and physical improvement to the Osborne View to the benefit of the character and appearance of the street scene. The alterations to the rear elevation will have a significant visual improvement when the building is viewed from the Solent and Hill Head beach. The modifications and additions added to the proposal during the course of the planning application are considered to have minimised and improved the potential impact on the amenity of neighbouring occupiers, and would not therefore result in increased harm to their residential amenity.

Whilst there is an acknowledged issue of car parking in the area during the summer months, the proprietors of the Osborne View have limited use of their private car park to the users of the public house/restaurant, and as such it is considered that the slight increase in covers on the raised terrace would not result in a significant level of additional pressure of the surrounding streets. It is therefore considered that there is no highway safety or car parking issues as a result of the proposed alterations.

Based on the above it is considered the proposal complies with development plan policies and therefore the application is recommended for approval. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Recommendation

PERMISSION, subject to conditions:

1. The development shall begin before 23 March 2019.

REASON: To allow a reasonable time period for work to start, to comply with Section 91 of the Town and Country Planning Act 1990, and to enable the Council to review the position if a fresh application is made after that time.

2. The development shall be carried out in accordance with the following approved documents:

- a) Drawing PL1 Rev A (Location and Block Plan, Existing Topographical Plan);
- b) Drawing PL2 (Existing Floor Plan [Basement, Ground, Mid, First]);
- c) Drawing PL3 Rev D (External Works Plan, Proposed South Elevation);
- d) Drawing PL4 Rev A (Proposed Floor Plan [Basement, Mid-floor, Ground & First]); and,
- e) Drawing PL5 Rev A (Existing & Proposed Elevations).

REASON: To avoid any doubt over what has been permitted.

3. The development hereby permitted shall be carried out with the materials and finishes as specified within the planning application unless otherwise agreed in writing by the Local Planning Authority.

REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity and to ensure a building of visual quality.

4. The obscure glazed screen on the southern and western elevations of the raised terrace shall be installed and maintained in perpetuity before the first use of the terrace by the general public, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of residential amenity.

5. The fencing to the boundaries of the garden shall be erected and maintained in perpetuity before the garden decked area is extended. Details regarding the finished appearance of the fencing shall be submitted to and approved in writing by the Local Planning Authority before the development commences.

REASON: In the interests of residential and visual amenity.

6. The fencing for the extended bin store shall be installed, and thereafter maintained in perpetuity before the development commences. Low level lighting shall be installed within the bin storage area, details of which should be submitted to and approved in writing by the Local Planning Authority before the development commences.

REASON: In the interests of amenity.

INFORMATIVE:

(i) The applicant is advised that should storage, access or encroachment within the Lee-on-the Solent to Itchen Estuary SSSI be found to occur as a result of the proposals during or after the works, this will be considered an offence under Section 28 of the Wildlife and Countryside Act 1981 (as amended) whereby the applicant may be liable on summary conviction to a maximum fine of £20,000 or on conviction on indictment to an unlimited fine. All contractors working on site should be made aware of this and should be provided with a map that clearly shows the boundaries of the Lee-on-the Solent to Itchen Estuary SSSI in relation to the development site.

(ii) The developer's attention is drawn to the provisions of the Wildlife and Countryside Act 1981, the Conservation (Natural Habitats etc) Regulations 1994, and to other wildlife legislation (for example Protection of Badgers Act 1992, Wild Mammals Protection Act

1996). These make it an offence to kill or injure any wild bird intentionally, damage or destroy the nest of any wild bird intentionally (when the nest is being built or is in use), disturb, damage or destroy and place which certain wild animals use for shelter (including badgers and all bats and certain moths, otters, water voles and dormice), kill or injure certain reptiles and amphibians (including adders, grass snakes, common lizards, slow-worms, Great Crested newts, Natterjack toads, smooth snakes and sand lizards), and kill, injure or disturb a bat or damage their shelter or breeding site. Leaflets on these and other protected species are available free of charge from Natural England.

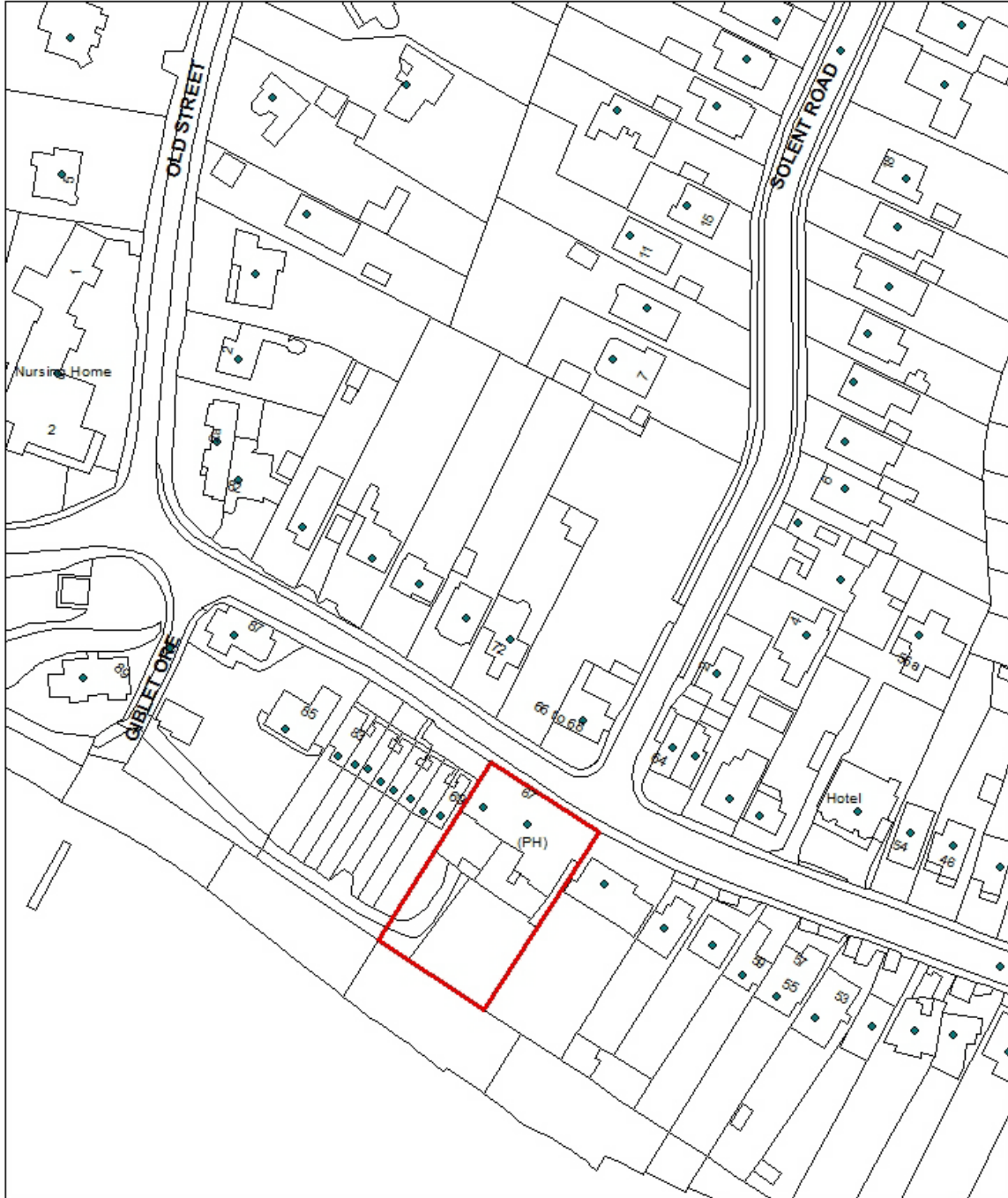
The onus is therefore on you to ascertain whether any such species are present on site, before works commence. If such species are found or you suspected, you must contact Natural England (at: Natural England, 2nd Floor, Cromwell House, 15 Andover Road, Winchester, Hampshire, SO23 7BT, 0300 060 3900, enquiries@naturalengland.org.uk) for advice. For nesting birds, you should delay works until after the nesting season (1 March to 31 August).

Background Papers

See history above.

FAREHAM

BOROUGH COUNCIL



Osborne View Hotel
SCALE: 1:1,250

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