

Application Number: 23/10558 Full Planning Permission
Site: THE PROMENADE SEAWALL, SOUTH OF HURST ROAD,
MILFORD-ON-SEA
Development: Construct rock revetment in front of existing sea wall, install
stabilising rock fillet at base of existing seawall return and
replace part of damaged timber groyne with rock armour.
Applicant: New Forest District Council
Agent:
Target Date: 05/09/2023
Case Officer: James Gilfillan
Officer Recommendation: Grant Subject to Conditions
**Reason for Referral
to Committee:** Applicant is NFDC

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Shoreline management and erosion and flood risk
- 2) Impact on the character and appearance of the shoreline and openness of the Green Belt
- 3) Ecology

2 SITE DESCRIPTION

The application site is located on the shoreline on the edge of Milford on Sea to the south of Hurst Road close to the Needles Cafe. Its is at a point on the shoreline that has been historically protected by groynes and a concrete sea wall with promenade. There are beach huts set in to the sea wall and steps down to the beach. There are public car parks near the site making the site an easily accessible and well used stretch of shoreline.

The site and adjoining open space are in the South West Hampshire Green Belt. The adjoining land is Public Open Space, including a bowls club and equipped childrens play area.

Christchurch Bay is designated as the Solent and Dorset Coast Special Protection Area (SPA). There are other designated habitats nearby at Keyhaven marshes and Sturt Pond.

The site is at risk of tidal flooding.

3 PROPOSED DEVELOPMENT

Construct rock revetment in front of existing sea wall, install stabilising rock fillet at base of existing seawall return and replace part of damaged timber groyne with rock armour.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
15/11599 119 beach huts; associated works including slabs; ramps; steps; railings; temporary fencing & barriers; demolition of existing (Details of access, landscaping, siting, appearance and scale, development granted by Outline Permission 15/10061)	14/01/2016	Granted Subject to Conditions	Decided
15/10061 119 beach huts; associated works including slabs; ramps, steps, railings; temporary fencing & barriers; demolition of existing (Outline Application with details only of access)	11/03/2015	Granted Subject to Conditions	Decided
05/84006 Concrete beach hut	17/05/2005	Granted	Decided
04/83514 6 concrete beach huts in 2 blocks (one of 2 and one of 3) and 1 single hut	10/02/2005	Granted Subject to Conditions	Decided

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy STR1: Achieving Sustainable Development

Policy STR2: Protection of the countryside, Cranborne Chase Area of Outstanding Natural Beauty and the adjoining New Forest National Park

Policy ENV2: The South West Hampshire Green Belt

Policy ENV3: Design quality and local distinctiveness

Policy ENV4: Landscape character and quality

Policy CCC1: Safe and healthy communities

Local Plan Part 2: Sites and Development Management 2014

DM2: Nature conservation, biodiversity and geodiversity

DM8: Protection of public open space, private playing fields and sports grounds and school playing fields

New Forest District Local Plan First Alteration 2005

DW-E12: Protection of landscape features

National Planning Policy Framework

National Planning Policy Guidance

South Inshore Marine Plan 2018

Poole & Christchurch Bays Shoreline Management Plan 2 2011

Christchurch Bay and Harbour FCERM Strategy consultation draft 2023

6 PARISH / TOWN COUNCIL COMMENTS

Milford On Sea Parish Council: PAR 3: We recommend PERMISSION

Due to the locality, the parish council recommend consideration be given to the timings of the works to limit disruption.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

NFDC Ecology: Due to the scale and location of works, the existing activity that occurs and the detrimental impact on habitats that would occur should the proposed works not occur, likely significant effects would not occur.

Natural England: Seek more details regarding the timing of the works to consider if birds would be disturbed.

Environment Agency: No objection

9 REPRESENTATIONS RECEIVED

None received.

10 PLANNING ASSESSMENT

Coastal erosion has removed extensive volumes of shingle and sand from the foreshore between 3 groynes. This has exposed the sheet pile at the bottom of the blockwork sea wall to the impact of wave action. Erosion of the sheet pile would allow the block wall above to be undermined, likely to result in collapse of the wall, the promenade above and beach huts thereon.

The scheme proposes to install rock armour on the beach in front of the sheet pile to dissipate wave energy and the damaging effect of waves striking the sheet pile.

The seaward end of the timber groyne (No.10) in the centre of the stretch of foreshore at risk has been damaged and lost. The scheme proposes to install a rock groyne, beyond the end of the remaining section of timber groyne, to maintain the effectiveness of the groynes in minimising washout of the beach material.

A further section of sheet pile is exposed adjacent to groyne 9 and the existing beach access steps. Rock armour would be formed around it to dissipate the eroding impact of wave action.

Principle of Development

The site is not within the stretch of shoreline where coastal change is accepted and managed through the defined Coastal Change Management Area, where development is limited by adopted policy DM6.

It is within sections of the shoreline identified for protection, either through continued maintenance of existing infrastructure or by new upgraded defences by the existing Shoreline Management Plan and draft FCERM strategy.

The proposed works are entirely functional in form and required to maintain an area where defences against coastal erosion have already been installed. The need for the development is quite clear and approaching the winter is imperative to avoid further erosion with more catastrophic consequence for the integrity of the seawall.

By definition the works are at risk of tidal inundation, however in respect of the sequential test and flood risk assessment they would be flood resilient and compatible.

Being outside the built up area as defined by STR3 shown on the policies map the site is within the open countryside. Whilst STR3 seeks to direct development towards sustainable and accessible locations, the form of development proposed here can only be located in this location and is directly related to the existing infrastructure. There would be no conflict with strategic policies.

The scheme proposes to use part of the adjoining public open space as a works compound for the duration of the works. This would restrict public access to the area temporarily, so would not result in its loss, as resisted by policy DM8, however the space identified for use only accounts for a small percentage of the overall area and has no impact on the useability of the space, or the bowls club and childrens play area.

Planning ahead for the construction process is positive and ensures its impact is constrained and the potential conflict between users of the area and the construction are managed and minimal. Conditions can be imposed to ensure the area is restored after the development is completed.

Design, site layout and impact on local character and appearance of area

The design of the works is entirely functional to the need to defend the shoreline. The installation of rock armour is consistent with existing coastal defences around the edge of Christchurch Bay. Due to its low lying position, some of which would be obscured from view in the water for long periods, and the small area of armour to be installed, there would be no material impact on the character or appearance of the shoreline.

The site falls in the South West Hampshire Green Belt. The NPPF defines that engineering operations are not inappropriate development in the Green Belt, provided they preserve its openness and do not conflict with the purposes of including land within it. Due to their location alongside existing engineered infrastructure, their small size and design, the proposed engineering works would preserve openness and would not conflict with the five purposes of designating Green Belts.

Ecology

As part of the Solent and Dorset Coast area, Christchurch Bay is designated as a Special Protection Area (SPA) and Ramsar, due to the species it supports. The edge of the SPA is the Mean High Water, some of the works proposed extend beyond that line into the SPA.

The proposals are neither directly connected with nor necessary to the management of the European designated sites. Therefore there should be consideration of the likelihood of significant effects on the integrity of the protected habitats and features arising.

The process of implementing the scheme would give rise to noise and pathways for contamination of water quality, likely to be the most significant in respect of likely impact on species supported by the SPA and other nearby designated sites.

The works would occur at the very edge of the SPA leaving the rest of Christchurch Bay and the wider Solent and Dorset Coast unaffected. Due to the presence of 2

public car parks, recreational facilities, cafe, beach huts and accessible beaches there is already a wide variety of noise occurring throughout the day, as such any noise generated by the proposals is unlikely to be materially more disturbing than occurs already, nor would it have an impact materially beyond the immediate area leaving the rest of the Ramsar, SPA and other designated habitats nearby unaffected.

Whilst the timing of works would also contribute to the potential for impact, seeking to avoid overwintering or breeding periods, Nov-March and April-August respectively, that does not leave much flexibility for the applicant to account for avoiding periods when the beach and area are busy or times when high seas and storms are more likely.

As the effect of noise from this project is not considered to disturb species relying on the surrounding habitats it would not be necessary for the Planning process to arbitrarily impose working restrictions on implementation of the development, given the competing demands and issues that the applicant has to consider.

The process of placing the rock armour in situ does not involve potentially contaminating materials or processes such as laying wet concrete, or extensive dust from cutting, digging or grinding materials. Bringing construction vehicles on to the beach has the potential for spillage of contaminants from vehicles, however their involvement is largely inert and any refueling or maintenance etc can readily occur in the proposed compound, nor is there an intention to work in the water. Furthermore due to the scale of the works the number of vehicles and length of time working on site would minimise the potential for problems to occur

Although unlikely to require mitigation due to the limited extent and scale of their impact, other less significant impacts should also be considered:

Physical processes along the coast have lead to the need to undertake the development. As none of the proposed features are new, such as an additional groyne, there is unlikely to be any material impact on water flow and general movement and certainly not on the conservation objectives of the habitats.

The original beach levels were above mean high water and have only recently become intertidal supporting habitat as a result of the washout. As the area is very small and the works would prevent further washout of materials from the sheet pile wall there would be no detrimental impact.

The proposed works would not give rise to likely significant effects and would preserve the integrity, status and nature conservation objectives of the European Sites.

Highway safety, access and parking

The works themselves would have no impact on the public highway. Further erosion resulting in the seawall being undermined could have an impact on the promenade above, however this is not a Public Right of Way or Bridleway, so would be a matter for the land owner to manage.

The application site includes land adjoining the beach, within the area of openspace on the cliff top. This is adjacent to Hurst Road and would enable delivery of construction material and equipment, along with space to store it, thereby preserving highway and pedestrian safety.

The applicant has not discounted delivery of materials by barge, however the presence of large HGV's on the public highway approaching the site would not give rise to unacceptable impacts on highway safety and would be managed by the applicant and their contractors, as any large vehicles are expected to be when on the public highway.

Residential amenity

The works themselves would preserve the amenity of local residents. The process of delivering materials and undertaking construction would have some noise impact, but due to the location of the works, the scale of project and recoverability of the sensitive receptors the disturbance would not be to the extent or duration to be detrimental to residential amenity.

The supporting environmental statement indicates notification of residents would be undertaken to advise when works would occur, this is encouraged as good practice but not fundamental to the acceptability of this planning application.

Developer Contributions

N/A

11 OTHER MATTERS

None

12 CONCLUSION / PLANNING BALANCE

The proposals are consistent with shoreline management plans, would not conflict with strategic planning policies and are imperative to avoid further failure of existing infrastructure, likely to have more significant environmental impacts.

The likely significant effects with the potential to harm features of nature conservation interest are considered not to arise and the scheme would contribute to the protection of the shoreline and the built environment.

13 RECOMMENDATION

Grant Subject to Conditions

Proposed Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Landownership and Outline Plan Drg No:V2 rec'd 12/07/23
Plan and typical details, Revetment, Groyne & Fillet ref:MOS 2023/1 rev 2
rec'd 12/07/23

Reason: To ensure satisfactory provision of the development.

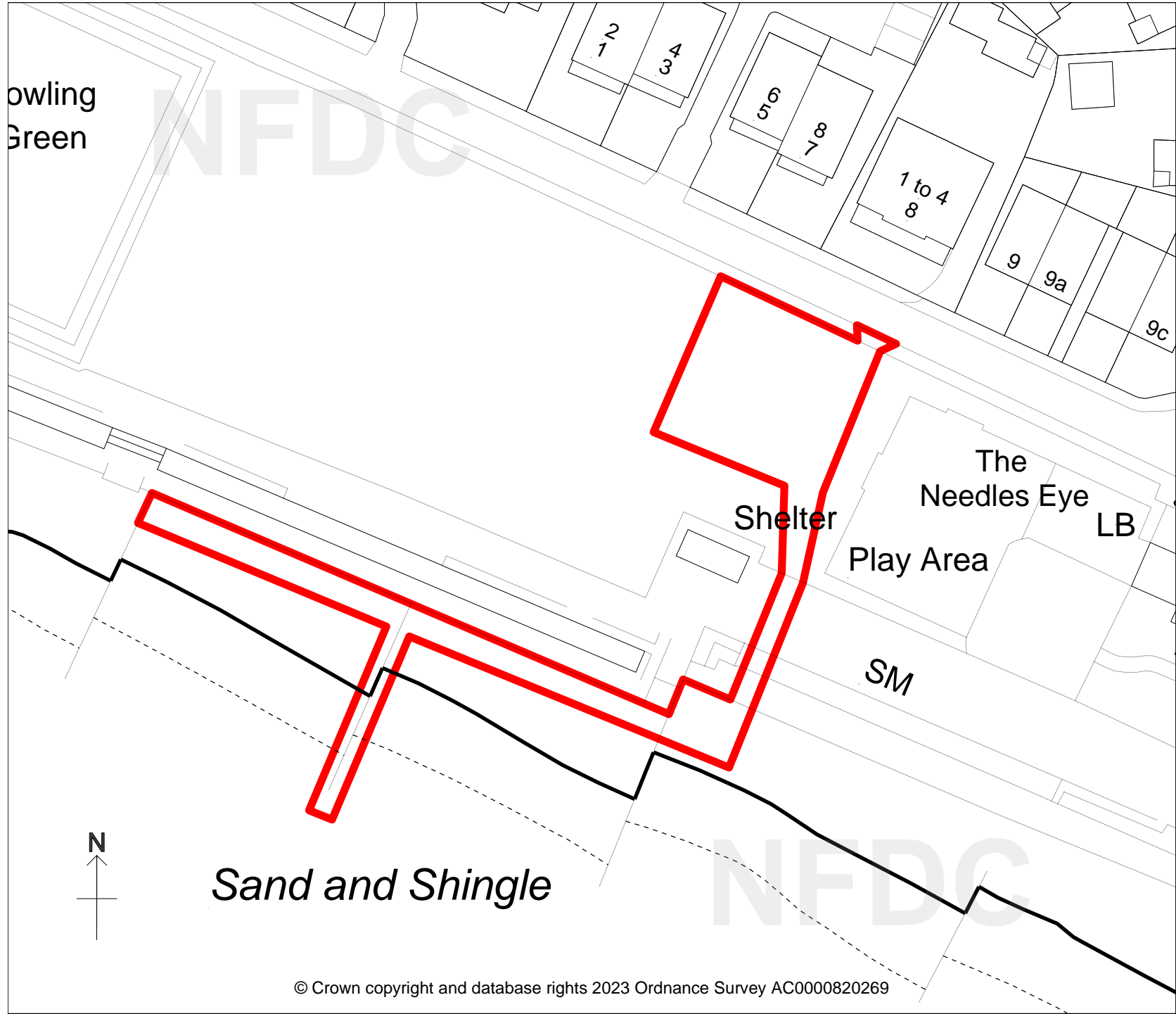
3. Within 6 weeks of the removal of the site compound, as shown on the approved plans, the Public Open Space shall be restored to its condition prior to formation of the compound required for the development hereby approved.

Reason: In the interests of ensuring the quality and appearance of the Public Open Space and in accordance with Policy DM8 of the New Forest District Local Plan Part 2: Sites and DM policies 2014 and DW-E12 of the New Forest District Local Plan First Alteration 2005.

Further Information:

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PLANNING COMMITTEE

September 2023

The Promenade Seawall
South of Hurst Road
Milford on Sea
23/10558

Scale 1:700

N.B. If printing this plan from
the internet, it will not be to
scale.