

trellis). The proposal which has a raised floor level owing to flooding considerations has been amended to provide improved separation to the boundaries, reduce over looking and increase the height of the proposed western boundary fencing.

4 Policy Considerations

National Planning Policy Framework
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS21	(Developer Requirements)
CS9	(Housing)
DM13	(Car and Cycle Parking on Residential Development)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
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Havant Borough Pre Submission Local Plan 2036

Emsworth Neighbourhood Plan Post Examination Version 2020

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

5 Statutory and Non Statutory Consultations

Building Control

No comments received

Coastal Engineering

Coastal Partners have no objection in principle to the proposed development.

The site is shown to lie within the Environment Agency's Flood Zone 3 and is therefore considered to be at risk from a 1:200 year (0.5% annual probability) extreme tidal flood event. For information, the present day 1:200-year extreme tidal flood level for Chichester Harbour is 3.4mAOD, increasing to a predicted 4.5 mAOD by the year 2115, due to the effects of climate change.

The applicant has submitted a Flood Risk Assessment (FRA), dated 7th August 2020, which sufficiently outlines how flood risk at the site will be mitigated. As stated within the FRA:

- Ground floor levels will be raised to 4.2 mAOD, approximately 500mm higher than the existing ground level.

- Bedrooms will be located on the first floor.

As the site is located within an area considered to be at risk of flooding, we recommend that flood resilience measures are incorporated into the design of the development. Raising finished floor levels to be above the predicted 1 in 200 year (including an allowance for climate change) flood level (i.e. the design flood level) is the most sustainable option as it ensures internal flooding doesn't occur. We would expect flood resistance measures to be implemented in all situations where internal flooding could occur. Resilience measures should not be utilised instead of resistance measures but alongside them.

For more information on flood resilience techniques, please see the Department for Communities and Local Government (DCLG) guidance document "Improving the Flood Performance of New Buildings – Flood Resilient Construction, 2007", which is available on the following website:

<https://www.gov.uk/government/publications/flood-resilientconstruction-of-new-buildings>

Officer note - flood resilience measures are incorporated into the design of the development

Community Infrastructure

Not SRMS liable as the application is for a replacement dwelling.

Councillor Leah Turner - Hayling East

No comments received

Councillor M Wilson - Hayling West Ward

No comments received

Councillor R Raines - Hayling East

No comments received

Crime Prevention -Minor Apps

No comments received

Environment Agency

The proposed development will only meet the National Planning Policy Framework's requirements in relation to flood risk if the following planning condition is included. The LPA may also wish to place further conditions on any permission granted to ensure that floodproofing measures are incorporated into the development.

Condition The development shall be carried out in accordance with the submitted flood risk assessment (by APD, December 2020) and the following mitigation measures it details:

Finished floor levels shall be set no lower than 4.2 metres above Ordnance Datum (AOD)

All sleeping accommodation shall be located on the first floor

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason To reduce the risk of flooding to the proposed development and future

occupants

Hampshire Highways

Initial comments

No parking plans have been provided to demonstrate that a policy compliant level of parking will be provided. A plan demonstrating the proposed parking spaces should be provided by the applicant.

Based on the proposed block plan, it does not appear that the existing vehicle crossover will be moved. Any amendments to the existing dropped kerb will require the applicant to secure a S184 licence, further details of which are available via the following link: <https://www.hants.gov.uk/en/transport/developers/section-184>.

The applicant should confirm their intentions with the replacement vehicle crossover and also provide a parking plan before the Highway Authority can make a formal recommendation on the planning application.

Further Comments

Further to the Highway Authority's original response, the applicant has provided an updated plan which details the location of the parking bays and the new location of the dropped kerb. These matters are now considered acceptable subject to the applicant applying for a S184 licence to construct the new dropped kerb access.

The Highway Authority therefore raises no objection to the proposed development.

Nutrient Team

the scheme is for a replacement dwelling so there would be no net increase in overnight accommodation. So whilst I can see the applicant has submitted a nutrient budget, I can't see a need for mitigation.

Not SRMS liable as the application is for a replacement dwelling.

Public Spaces

No comments received

Waste Services Manager

No comments received

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: 6

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
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Without a street elevation putting the development into context, at this time we cannot support the proposal, we note the design statement gives a o/a height of 7.2m from existing ground levels to we assume ridge crown, which would dwarf the adjoining bungalows located at number 1 and 5 Nutbourne road.	The plans have been amended to reduce the height and provide improved separation.
The mass of glazing located on the South Elevation at first floor would mean the loss of amenity area to the bungalow directly south of the proposal, and would create an overlooking issue, resulting in the loss of privacy.	The plans have been amended to reduce the glazing in the southern elevation and propose obscure glazing below a cill height of 1.75m to prevent overlooking.

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) Impact upon the character and appearance of the area
- (iii) Flood Risk
- (iv) Impact upon residential amenity
- (v) Parking and access
- (vi) Developer Contributions and CIL

(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

(ii) Impact upon the character and appearance of the area

The proposal is for a 2 bedroom dwelling of contemporary design incorporating flat roofed dormers and roof lights, set within a shingle roof and with vertical timber clad walls. Whilst this is in contrast to the existing character of development, which is mainly traditional bungalows, the overall design approach is attractive and provides separation to the site boundaries and as such will not detract from the street scene.

(iii) Flood Risk

The application site lies in an area of current flood risk - and is therefore considered to be at risk from a 1:200 year (0.5% annual probability) extreme tidal flood event. For information, the present day 1:200-year extreme tidal flood level for Chichester Harbour is 3.4mAOD, increasing to a predicted 4.5 mAOD by the year 2115, due to the effects of climate change.

In accordance with the response from the Coastal Team and as the site is located within an area considered to be at risk of flooding, flood resilience and resilience measures are incorporated into the design of the development.

The applicant has submitted a Flood Risk Assessment (FRA), dated 7th August 2020, which sufficiently outlines how flood risk at the site will be mitigated. As stated within the FRA:

- Ground floor levels will be raised to 4.2 mAOD, approximately 500mm higher than the existing ground level.
- Bedrooms will be located on the first floor.

(iv) Impact upon residential amenity

The adjacent development is single story and the main impact relates No1 to the south, No 5 to the north, No 4 opposite to properties in Nutbourne Rd, and No 32 Wheatlands Ave.

No 1 is set back on its plot with a drive closest the application site. However, much of the front garden area is laid to lawn/amenity area. The proposed dwelling owing to flood risk considerations has a raised floor level in the region of 500mm above existing ground level. In order to prevent loss of privacy the plans have been amended to set the development further from this boundary and to reduce the level of glazing and where required incorporate obscure glazing to 1.75m above floor level. As amended the application is considered to achieve an acceptable relationship with No1. In respect to No 5 to the north, its existing drive provides separation and the first floor window in the side elevation facing this property would be obscure glazed to 1.75m above floor level and an acceptable relationship is achieved. Regarding No 4 which lies opposite, this property is separated by Nutbourne Road and not considered to be adversely impacted.

No 32 Wheatlands Ave, a bungalow, lies to the west. The west elevation of the proposed dwelling incorporates extensive glazing serving the main ground floor rooms. The plans have been amended to set the ground floor further from the boundary and it would now be 4m from this boundary. As the floor level is raised a 1.8m fence with 0.5m trellis would be provided along this boundary to provide screening. First floor windows in this elevation would be obscure glazed or have a sill height greater than 1.75 above floor level. A condition requiring further details of this is proposed to ensure that the trellis is of appropriate design to provide screening.

(v) Parking and access

The proposed dwelling would be served by a car port with parking space at the front and the 2 parking spaces meet the requirements of Havant's Parking Supplementary Planning Document and Policy DM13 of the Local Plan and emerging policy.

(vi) Developer Contributions and CIL

The CIL rates to be applied to development are set out in the Havant Borough Community Infrastructure Levy Charging Schedule, which was adopted by the council on the 20 February 2013. This followed two public consultation exercises and an Examination into the Charging Schedule by an independent Examiner. The Examiner's Report concluded that the Havant Borough Council Community Infrastructure Levy (CIL) Charging Schedule provided an appropriate basis for the collection of the levy in

the borough. The levy is charged at £100 per square metre (plus indexing) on new floorspace (measured as gross internal area) in Hayling Island.

The proposal would result in new residential development which is Community Infrastructure Levy (CIL) liable and the appropriate forms have been submitted. The gross increase in new internal floor space for the dwelling has been calculated by the agent as 92sqm, which would generate a CIL liability of £13, 6786.79 The applicant is claiming Self Build Exemption.

8 **Conclusion**

The proposal would result in a replacement dwelling on the site in lieu of the existing. It is considered that the proposal would be an appropriate response to a replacement dwelling in this location. Moreover, the development would not be harmful to the locality, or residential amenity. In highways, parking and flood risk terms the proposal is acceptable, and matters raised by consultees can be appropriately addressed by conditions and/or informatives. Therefore, the proposal is considered to be appropriate and recommended for approval.

In the overall planning balance and having due regard to all material planning considerations, it is considered that the proposal would not appear overbearing or lead to significant overlooking or loss of light and would have a limited and acceptable impact on the properties immediately adjacent to the application site and the properties to the rear in terms of residential amenity, meeting the requirements of Policy CS16 of the HBLP (Core Strategy) and emerging local plan policies. However, to bring under control any future extensions to the proposal, it is recommended that permitted development rights be removed.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/20/01217

subject to the following conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason: To comply with the requirements of 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 hereby permitted shall be carried out in accordance with the following approved plans:

002C PROPOSED SITE LOCATION PLAN

003A EXISTING SITE PLAN

004D PROPOSED GROUND FLOOR

005D PROPOSED FIRST FLOOR

006C PROPOSED ROOF

007C PROPOSED NORTH & EAST ELEVATIONS

008D PROPOSED SOUTH & WEST ELEVATIONS

009B PROPOSED SECTION A-A

Reason: - To ensure provision of a satisfactory development.

- 3 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or a full specification of the materials to be used externally on the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extensions, building alterations or side windows shall be constructed within the curtilage of the site without the prior approval of the Local Planning Authority.

Reason: In the interests of neighbouring residential amenity and Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011.

- 5 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order, prior to first occupation of the building hereby permitted the windows in the ground floor and first floor on the south elevation, and first floor of the west and north elevations shall be fitted with, to a height of no less than 1.75m above finished floor level, textured glass which obscuration level is no less than Level 4 of the Pilkington Texture Glass scale (or equivalent) and retained as such thereafter.

Reason: In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 The car parking and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.

Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 7 No above ground construction works shall take place until a full specification for the western boundary fence and trellis, and eastern boundary hedging

have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the fencing and hedging have been installed in accordance with the approved details and shall thereafter be retained. .

Reason: To ensure the appearance of the development is satisfactory and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 8 The development shall be carried out in accordance with the submitted flood risk assessment (by APD, December 2020) and the following mitigation measures it details:

Finished floor levels shall be set no lower than 4.2 metres above Ordnance Datum (AOD)

All sleeping accommodation shall be located on the first floor

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants having due regard to Policies CS15 of the Havant Borough Local Plan (Core Strategy) 2011.