Site Address:	Spindrift, Ferry Road, Hayling Island, PO11 0DG		
Proposal:	First floor front, rear and side extensions.		
Application No:	APP/19/00129	Expiry Date:	04/04/2019
Applicant:	Mr & Mrs Battersby		
Agent:	Miss Roberts Critchley Architecture and Design Ltd	Case Officer:	Bee Crawford
Ward:	Hayling West		

Recommendation: **REFUSE PERMISSION**

1 Site Description

1.1 The application site is a modern two storey detached property with an integral boat store/garage and is situated at the western end of Ferry Road. It has a grey flat roof with mono-pitched elements and elevations of light grey render. The site is level with a 2 metre high wall and gate to the front leading to a block paving parking area and shrubs with a 2 metre high walls to the east and west. There is a side gate leading to the rear garden which is mainly concrete with a large vessel and several areas of open sided storage, with a wall ranging in height from 1.6 metres to 2 metres to the west and a concrete panel fence ranging in height from 1.6 metres to 2 metres to the east, with a jetty to the rear into Langstone Harbour.

1.2 A three storey detached property is to the east, a two storey detached property is to the west, the Ferry Boat Inn public house and car park is opposite and Langstone Harbour is to the rear. The area is of low density with two and three storey detached properties, detached single storey properties in The Kench of similar and different age, style and design and the Ferry Boat Inn.

2 Planning History

01/59612/000 - Demolition of existing dwelling and erection of a 3 storey, 5 bedroom house utilising existing vehicular access from Ferry Road. WD 20/02/2002
03/59612/001 - Demolition of single storey chalet & construction of 2 storey house comprising ground floor boat storage/garage with 3 bed living accommodation above, utilising existing access to Ferry Road. REF,10/11/2003
04/59612/002 - Demolition of single storey chalet and construction of two storey dwelling comprising ground floor boat storage/garage with 3 bedroom living accommodation above, utilising existing access to Ferry Road. REF 02/03/2004
05/59612/003 - Demolition of the existing dwelling and construction of a two storey dwelling comprising ground floor boat storage/garage with 3 bedroom living accommodation above, utilising existing access to Ferry Road. (Revised submission), REF 11/04/2005
05/59612/004 - Demolition of existing dwelling and construction of a two storey dwelling comprising of 3 bedroom and integral garage/ boat store and workshop utilising existing access to Ferry Road. (Revised submission). REF 25/11/2005
05/59612/005 - Demolition of existing dwelling and construction of a two storey dwelling comprising 3 bedrooms and integral garage/ workshop utilising the existing access to Ferry Road. (Revised Submission), PERM 07/02/2006

09/59612/006 - Revision to replacement dwelling approved under planning permission 05/59612/005. Removal of sloping skylights on the east elevation, replacement of circular opening skylight on the flat roof at first floor level with rectangular opening skylight, glazed infill panels on balconies and replacement of fixed windows on east elevation with casement windows and modification of the front access ramp. PERM 21/04/2009.

3 Proposal

3.1 The proposal is for the construction of first floor front, rear and side extensions.

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

CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)
DM9	(Development in the Coastal Zone)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

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

5 Statutory and Non Statutory Consultations

Chichester Harbour Conservancy
No comments received.

Environment Agency
No comments received.

Langstone Harbour Board
No objections.

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: 2

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
We object to the east extension of the second floor. It will result in loss of light, overshadowing and lack of privacy. This is particularly important as our bedroom has two west facing windows.	See section 7.
We also object as the east extension will be visually over-bearing.	See section 7.
Planning permission for Spindrift in its current form was permitted in 2009 and was granted, after a lengthy process, on the basis that any building on the 2nd floor of the east side of the property did not take place.	This application is being considered on it own merits.
We ask the council, for the reasons outlined above, to reject the application in its current form.	

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 on the character of the area
(iii) Effect on neighbouring properties
(iv) Flood issues
(v) Parking

(i) Principle of development

7.2 Whilst the application site is located outside the defined urban area, the proposal is for an extension to an existing dwelling and therefore the proposed development is considered acceptable in principle subject to development management criteria.

(ii) Impact on the character of the area

7.3 The proposal is for a substantial extension to include first floor side, rear and front extensions and would be visible from the public realm. It would provide generous additional accommodation at first floor, encompassing the majority of the existing flat

roof of the property. The greater part of the extension is on the eastern side of the property with a depth of 11.62 metres, a front extension of 2.9 metres deep and a rear extension with a depth of 4.85 metres.

7.4 Taken in isolation, the design of the proposal is considered appropriate to the main building. However, the properties in this part of Sinah Lane promote a mixed street scene, with a sense of space at first floor between adjoining properties. In this context it is considered the scheme would have a significant impact on the existing spatial setting. It would eliminate the space at first floor level between the neighbouring properties and would appear cramped, resulting in a harmful impact on the visual amenity of the street scene. The proposal is therefore contrary to policy CS16 of the Havant Borough Core Strategy 2011 and the adopted Design Guide 2011.

(iii) Effect on neighbouring properties

7.5 The main part of the extension is 11.62 metres deep, situated to the eastern side of the property with a total height of 7.5 metres. There are high level windows in the eastern side elevation with the main facade of render and there would be a distance of 1 metre to the boundary with the neighbouring property at Sinah House. This property is sited close to the boundary with Spindrift and there are existing windows in the western elevation. The current distance between the eastern first floor elevation of the application site and the western first floor elevation of the neighbouring property is 5 metres increasing to approximately 7 metres. The side extension would infill the footprint of the existing property at first floor, significantly reducing the distance between the first floor elevations of the application site and the neighbouring property.

7.6 Concerns were raised regarding the impact of the eastern part of the extension giving rise to loss of light, overshadowing, overbearing and lack of privacy.

7.7 It could be argued that the first floor windows in the western elevation of Sinah House are secondary and any resulting impact of the proposal would not constitute a defensible reason for refusal. However, there is history of previous planning applications where although the schemes differed from that of the current application, the impact on Sinah House was similar. These applications were refused and subsequently dismissed on appeal.

7.8 The first floor windows in the western elevation of Sinah House were referred to specifically in the appeal decision notice dated 28 September 2004 for applications 03/59612/001 and 04/59612/002 an extract of which follows:

'*Sinah House lies to the east of the appeal site. A large part of the plot of Sinah House fronts the Harbour which, as would be expected in this area and as applies to most of the properties along this stretch of Langstone Harbour, is devoted to boats and boating. The ground floor also has a large boat/garage store. There is a deck leading from the kitchen/dining room which has splendid views to the north over Langstone Harbour. As Spindrift is a single storey building there is an open aspect from the deck to the north-west but little in the way of views due to the location of the Appellant's boat. A window in the dining area, some 1.6m from the floor level, provides light and a similar open aspect to the north-west. The living room is upstairs and a completely glazed square bay-window which, although set back from the deck, provides similar views and aspects. The living room also has 2 feature port-hole windows some 1.4 m above floor level which face Spindrift. The windows currently look over the Spindrift plot to The Deck House and have oblique views to the north-west and south-west. Sinah House was built to a specifIc design to take advantage of its surroundings and*

outlook and I consider that the 3 windows that face
Spindrift are an integral part of that design and I do not consider them to be secondary windows.

It seems to me that the occupiers of Sinah House, as they walk into their living room, would look out from the port-hole windows directly onto a brick wall. Similarly there would be a brick wall dominating the outlook from the side window of the bay. I consider that this complete change in outlook from that which currently pertains would be oppressive and overbearing.

In this case I consider that the proposal would result in an overbearing development that would adversely affect the living environment of the occupiers of Sinah House. It also seems to me that as the outlook from Sinah House
would be dominated by a tall brick wall that there would be a less light to the living room and dining room because of the reduction in the amount of sky that could be seen from the west facing windows.'

7.9 Neither the LPA's policy position nor the circumstances of the site have altered since the time of this appeal. It is therefore considered the proposed scheme does not warrant a change in stance of the decision previously reached by the Planning Inspector that the western facing windows are an important facet of the amenity of Sinah House. It is therefore considered that the issues raised earlier are still pertinent to the current application and the development would be harmful to the established pattern of development in the vicinity and would result in an excessive building bulk on the eastern side of the property, detrimental to the visual outlook and amenities of the occupiers of this property. The proposal is therefore contrary to policy CS16 of the Havant Borough Core Strategy 2011 and the adopted Design Guide 2011.

7.10 Regarding the first floor front and rear extensions on the western side of the property, there are a continuation of the existing western elevation, retaining the 1 metre distance to the boundary and there are no new windows in the side elevation.
A 45 degree angle test was carried out as recommended in the Havant Borough Council Borough Design Guide SPD, which verified the proposed front extension falls outside the overshadowing zone of first floor windows at The Deck House. It is therefore considered a reasonable outlook would be retained from the closest neighbouring windows at this property.

7.11 There are no side windows in the eastern elevation of this neighbouring property and the proposed rear extension would be situated 1.2 metres back from its rear elevation. It is therefore considered any impact on the property to the west would not be unacceptable and would not result in any additional overlooking to this property.

(iv) <u>Flood Issues</u>

7.12 The site is within Flood Zones 2 and 3, however the proposed development is for the construction of first floor extensions, and will therefore not put the occupiers or employees of the emergency services at any additional risk in the event of a flood. The agent has submitted a flood risk assessment to confirm that appropriate flood risk measures have been considered. The development therefore meets the the requirements of policy CS15 of the Havant Borough, Local Plan (Core Strategy).

(v) <u>Parking</u>

7.13 There is an increase in the number of bedrooms from three to four, subsequently there

will be a need for three on site parking spaces as recommended in the HBC Parking SPD (July 2016). A parking plan has been submitted as part of the application to reflect this and it is therefore considered this requirement has been met.

8 Conclusion

8.1 The proposed size and mass of the proposal is considered to be of a design which does not accord with local planning policy in that it would appear cramped within the confines of the site and have an adverse impact on the visual amenity of the street scene. Furthermore, it would result in an unacceptable impact on the amenities of the occupiers of the neighbouring property at Sinah House.

8.2 As such, the proposed development is considered to be contrary to the NPPF, policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the adopted Havant Borough Design Guide 2011 and is therefore recommended for refusal.

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9 RECOMMENDATION:

That the Head of Planning be authorised to **REFUSE PERMISSION** for application APP/19/00129 subject to the following conditions

1 The proximity to the neighbouring property at Sinah House of the proposed first floor element of the extension on the eastern side of the dwelling would adversely affect the outlook from, and light available to and be detrimental to the amenities of the occupier of the adjacent residential property. The proposal is therefore contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, the Havant Borough Design Guide Supplementary Planning Document 2011 and the National Planning Policy Framework 2018.

2 The proposal would by reason of its size, design and prominent siting would appear cramped and be harmful to the existing character and appearance of the area conflicting with the established pattern of development and spatial characteristics and setting of the streetscene. The proposal therefore conflicts with policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, the Havant Borough Design Guide Supplementary Planning Document 2011 and the National Planning Policy Framework 2018.