
Site Address: 28 Wittering Road, Hayling Island, PO11 9SP
Proposal: Prior notification for single storey development extending 8 metres beyond the rear wall of the original dwelling, incorporating an eaves height of 2.82 metres and a maximum height of 3 metres.
Application No: APP/19/00397 Expiry Date: 27/05/2019
Applicant: Mr C Gibson
Agent: Mr I Murray Case Officer: Denise Sheath
Ward: Hayling East

Recommendation:

1 Site Description

28 Wittering Road, Hayling Island is a detached two storey dwelling with ample parking to the front. No. 30 Wittering Road is directly adjacent the property at No. 28 which are separated by Common Laurel hedging.

2 Planning History

00/65446/000 - One detached dwelling to the front (south-west side) of existing dwellinghouse (28 Wittering Road). (Outline), REF,30/08/2000
98/55227/003 - Two storey and single storey side extensions., PERM,15/12/1998
97/55227/002 - Replacement of existing garage with detached double garage and store over to South West of dwelling
, PERM,20/02/1998
90/55227/000 - Ground floor rear extension and extension to existing balcony., PERM,21/08/1990
03/55227/004 - Proposed new dwelling over site of detached garage and store approved under Planning Permission 97/55227/002., REF,27/10/2003
APP/13/00604 - Conversion of existing garage into ancillary accommodation to the main dwelling., REF,15/08/2013
APP/13/00840 - Application for Certificate of Lawful Development relating to conversion of garage to ancillary living accommodation., PERM,17/10/2013
APP/18/01040 - Prior notification for single storey development extending 8 metres beyond the rear wall of the original dwelling, incorporating a maximum height of 3 metres and an eaves height of 2.82 metres., WD,28/11/2018
APP/19/00081 - Prior notification for single storey development extending 8 metres beyond the rear wall of the original dwelling, incorporating a maximum height of 3 metres and an eaves height of 2.82 metres., GPDR,06/03/2019

3 Proposal

Prior notification for single storey development extending 8 metres beyond the rear wall of the original dwelling, incorporating an eaves height of 2.82 metres and a maximum height of 3 metres. The revised application provides details with regard to retaining the hedgerow between the boundaries of No. 28 and No. 38 to mitigate any issues regarding loss of light and prevent the proposal being overbearing.

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

Havant Borough Local Plan (Allocations) July 2014

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

5 **Statutory and Non Statutory Consultations**

Landscape - Having considered the details submitted in this application it considered that the hedge can be retained subject to conditions to ensure that the matters outlined are implemented.

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: 4

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
We refer to your letter of 16 April 2019. We have noted the hand written changes to the original design shown on the revised plans (page 4), namely installation of a hedge watering system only. This application does not address any of the issues which we raised in our letter of objection dated 19 February 2019 (to the development APP/19/00081, your letter of 31 January 2019). This application repetitive and vexatious	

We wish to object to this development for the following reasons

Overshadowing & Loss of Light .
Loss of amenity due to 1. Size of building, 2. Appearance of building.
Non compliance with Design Guidelines issued by Chichester Harbour AOB.

Loss of Light, Overshadowing & Loss of amenity.

We note that in the plan, the extension beyond 4 m has been stepped to ensure the survival of the hedge, but the rest on the wall has not been stepped. This means that the rest of the hedge will likely not survive. The existing hedge lies along the boundary between 28 and 30, and has been maintained jointly by us and Mr Gibson without dispute.

See Section 7

The development will destroy this hedge and leave us looking at a 3m high brick wall where at present there is a 2 to 3m high mature green hedge, which allows a lot of filtered light. The hedge will be killed by the groundworks; installation of a hedge watering system will be without purpose.
There may be implications re the Party Wall Act 1996.

The proposal will result in overshadowing and loss of light to our dining room, and to our son's treatment room (subject to a Council Tax discount) on the ground floor, as well a part of our garden. This loss of light will be oppressive at all times, but especially in autumn and winter.

The view from our upstairs study and lounge overlooks greenery, Mr Gibson's garden, the lagoon and beyond the sailing club towards Chichester Harbour entrance, and is totally unobstructed. The proposed development will adversely affect this and will be a loss of amenity which we currently enjoy.

The development will extend 8 m beyond the east flank of no.28. There is already a 4m extension, and this will make the building disproportionately large in relation to the plot and adjacent houses.	Not a consideration for this type of Prior Notification
The 3m high brick wall along the boundary will be over 18m long in place of a green living hedge.	See section 7 with regard to retaining and maintaining existing hedge.
The proposal incompletely infills a very narrow triangular piece of land which currently serves as a foot path, on which there is a dilapidated stair to the balcony and a lean-to shed, plus pipes and outlets for services.	
No detail is given of how the proposed 'windflower blanked' roof will be maintained. Nor are there any details of ventilation ducts for the bathrooms.	See section 7.
The site and roof plan on drawings A 101 and A105 are inaccurate and misleading, as they are not in the same orientation relative to North as the location plan. This gives a misleading impression of the sources of natural light.	Ventilation and air ducts are not a planning consideration under this prior notification type
Non compliance with Design Guidelines issued by Chichester Harbour AOB.	Chichester Harbour are not required to be consulted on this type of Prior Notification
From our reading of the Design Guidelines issued by Chichester Harbour area of outstanding natural beauty, (2010), we believe that the proposal does not comply with the design guidelines. (see www.chichester.gov.uk/CHttpHandler.ashx?id=4530&p=)	Not relevant for a Householder Prior Approval.
We refer you to pages 12 and 13 of these guidelines which specifically reference developments on Hayling Is which are adjacent to No. 28 Wittering Rd.	
We are not aware that this development has been brought to the attention of the Chichester Harbour Authority.	

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) **Impact upon residential amenity**

The proposed extension is to be a maximum height of 3 metres and the existing hedge between the boundary is a height of approximately 2 metres up to a height of 3 metres in certain areas. The previous application, which is identical to this application in terms of size and scale, was refused because of concerns that the development would result in significant loss of light to the neighbouring property, by virtue of proximity of the extension to this hedge result being damaged and therefore being removed.

This revised application has submitted further information regarding measures to protect the existing hedge located on the boundary between the application site and No.30. This information comprises the impact of the development on the Root Protection Area of the Hedgerow, and information relating to the timer operated irrigation system to ensure the protection the hedgerow. The protection of the hedge, at a minimum height of 2 metres would result in the development projecting approximately 0.7-1 metre above the hedge. A 45 degree light test was undertaken in accordance with Havant Borough Councils Design Guidance to assess whether the proposed extension would result in a significant loss of light to the rear elevation of the adjacent neighbouring property. The results of this has revealed that an extension, sited in this location, immediately adjacent to the shared boundary, at the depth proposed taking into account the retention of the hedge, which will give a softer natural appearance towards the neighbour, in combination with the orientation of application site, that the development would not have a significant adverse impact on the neighbouring amenity of No.30 Wittering Road in terms of loss of sunlight/daylight or overbearing impact to justify a reason for refusal on this matter, subject to conditions.

Given the above conclusions it is considered reasonable and necessary to apply a condition to ensure that retention of the hedge at a height of at least 2 metres. In addition the condition would require that any hedging which is removed, uprooted, destroyed, die or become seriously diseased shall be replaced within the next planting season by hedging of a similar size and species to those originally planted.

Taking all these factors together subject to suitable conditions, to include the retention and maintenance of the boundary hedge at a height of at least 2 metres between No. 28 and No. 30 Wittering Road, it is considered that the proposed development would not have a significant adverse impact on the amenities of neighbouring properties to justify a reason for refusal of the Prior Notification with regard to loss of sunlight/daylight, overlooking or overbearing impact. As such this revised scheme has overcome the previous reasons for refusal. The development would therefore comply with policy CS16 of the Core Strategy.

(ii) Other matters

Concerns have been raised regarding the proposal not following the Design Guidelines set out by Chichester Harbour. The regulations for this type of Prior Approval only enable the Local Planning Authority to consider the impact on the neighbouring properties and not the impact of the development on the character of the area, including the adjacent AONB. Therefore Chichester Harbour are not required to be consulted for this type of Prior Notification and the LPA cannot consider this matter.

Concerns have been expressed regarding the loss of a private view, this is not a material planning consideration.

Concerns have been expressed that the development will have implications for the Party Wall Act, this is not a material planning consideration.

8 Conclusion

It is considered that this revised scheme has addressed the previous reasons for refusal. The development is therefore not considered to have a significant adverse impact on the amenities of neighbouring properties to justify a reason for refusal on this matter, subject to the imposition of relevant conditions.

9 RECOMMENDATION:

Application APP/19/00397 is subject to the following conditions:

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Application Form - Received 15 April 2019

Existing Site and Location Plans - Drawing No A101 - Received 15 April 2019

Existing Elevations - Drawing No. A102 - Received 15 April 2019

Existing Floor Plans - Drawing No. A103 - Received 15 April 2019

Existing Views - Drawing No. A104 - Received 15 April 2019

Proposed Site and Location Plans - Drawing No. A105 V8 - Received 15 April 2019

Proposed Floor Plans - Drawing No. A107 V8 - Received 15 April 2019

Proposed Elevations - Drawing No. A106 V8 - Received 15 April 2019

Proposed Views - Drawing No. A108 V8 - Received 15 April 2019

Email from Mr Murray regarding The Species of the hedgerow, Irrigation system information and Information regarding the wildflower to be used on the roof of the extension - Received 15 May 2019.

Reason: To ensure provision of a satisfactory development.

- 2 The hedging on the boundary between the application site and 30 Wittering Road shall be retained at all times, at a minimum height of 2 metres. Any hedging which is removed, uprooted, destroyed, die or become severely damaged or become seriously diseased shall be replaced within the next planting season by hedging of similar size and species at minimum height of 2 metres, unless the Local Planning Authority gives its consent in writing to any variation.

Reason: To ensure an appropriate standard of visual amenity in the local area. In addition this condition is reasonable and necessary in order to protect the amenities of the neighbouring property of 30 Wittering Road having due regard to policies CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.