

Recommendation: **GRANT PERMISSION**

CS12 (Chichester Harbour Area of Outstanding Natural Beauty (AONB))

CS16	(High Quality Design)
DM10	(Pollution)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)
DM9	(Development in the Coastal Zone)

Havant Borough Local Plan (Allocations) July 2014

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist

No objection, subject to works being undertaken strictly in accordance with the submitted details relating to foundation design and implementation.

Chichester Harbour Conservancy

No objection subject to following comments:

1. The three mature trees within close proximity should be protected during any site works and careful consideration should be given to protect the trees root system relating to the depth and size of any proposed base for the proposed structure. ***This has been addressed in the tree protection information submitted by the applicants and approved by the Arboriculturalist***

2. The proposed angled glazed front of the building would benefit the AONB by having a roof overhang the front elevation by at least 500mm to mitigate the adverse affect of the large area of extra glazing and would also assist with keeping some sun heat/reflection from within the structure. ***These comments have been noted, however consideration has to be taken to the structure being sited on an angle, being set back within the curtilage by approximately 6.3m, and being partially obscured by the existing TPO trees.***

3. It is recommended that some native species of shrub be planted between the side of the proposed structure and the water front (north elevation) to mitigate the impact of the proposed structure as viewed from the water, this should be at least to half the height of the proposed structure, a condition should be considered in this regard and include retention in perpetuity. ***These comments have been noted, however there is a general open nature to the rear gardens of the properties within close proximity to the site, some of which include structures of a similar nature. Furthermore the summerhouse will be set back from the shoreline.***

4. Consideration should be given in requesting the proponent to consider a more sustainable material and one that would complement the landscape, wood should be considered a favourable material from a sustainable source with the colouring toned down so as to blend in with the existing natural environmental landscape. ***Further clarification has been submitted in relation to the proposed materials, which are considered to be appropriate in this location, and a condition will be attached to ensure these materials are used.***

Environment Agency

No comments to make.

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
Whilst the building may not fall within the AONB border, Havant Borough Council document entitled "Design Guidelines for New Dwellings and Extensions" dated August 2010 clearly states for Character Area "South Hayling Island" that a property outside the boundary of the AONB but falling into the category where a development would impact the natural beauty of the AONB that such a development "will be considered against the likely effect on the quality of the landscape" and "that development will be resisted unless there is compelling reason?". Salterns Lane is specifically mentioned as one such area that would be affected and Simmons Green, is a private cul-de-sac lane on the AONB side off this exact road. It is nothing other than an virtual additional dwelling at the end of a garden, not an ordinary garden but one which lies immediately adjacent to South Haying Island Character Area within the Chichester Harbour Area of Outstanding Natural Beauty (AONB) in Havant Borough, which is also designated as a Site of Special Scientific Interest (SSSI). The proposed building is going to block light to 5A Simmons green it will stand taller than any permitted fencing while being situated just a metre from the border, it will block light to the adjoining property to the East, if this is allowed to proceed a precedent will be set regarding large potentially habitable out buildings being situated at the shoreline of this beautiful area, It could damage the root system of two TPO protected Oak trees, restrict the amount of water supplied to the root system. Much consideration is required here, the shore line will be obscured from all the houses on the west of the proposed building, if allowed to proceed the next house and the next will perhaps wish to construct similar buildings, I cannot see	When considering the siting, materials and scale, the proposal the subject of this application is not considered to have a significant impact on the natural beauty of the AONB. The proposal measures 3.5m by 3m and is not considered to constitute an additional dwelling. A condition will be recommended with regard to its use. Addressed in section 7 - Impact on neighbours Information has been submitted and approved by the council's Arboriculturalist in relation to the protection of the trees and their root systems Providing Permitted Development Rights are intact, neighbouring properties could construct a similar outbuilding without the need for

how this will enhance the natural Beauty of the almost perfect location.	planning permission. Furthermore a fence of 2m could be erected along the side and rear of the property without the need for planning permission.
I object on the grounds the building is too big given the size of the plot , its too close to the shoreline, it will set a dangerous precedent regarding shoreline buildings	It is considered that the outbuilding is proportionate with regard to the size of the rear garden. It will be set a minimum of 6m back from the shoreline, which is considered an acceptable distance. As previously stated, similar structures can be constructed under Permitted Development rights at any property providing these rights have not been removed.

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) Appropriateness of design and impact on the character of the area
- (iii) Effect on neighbouring properties

(i) Principle of development

7.2 The application site is located within the defined urban area, therefore development is considered acceptable in principle subject to development management criteria. The rear of the site is adjacent to Chichester Harbour Area of Outstanding Natural Beauty (AONB) but the application property is outside of the AONB boundary. However, Policy CS12 (Chichester Harbour Area of Outstanding Natural Beauty) is applicable, along with Policy CS16 (High Quality Design). The proposal requires planning permission following the removal of Permitted Development rights.

(ii) Appropriateness of design and impact on the character of the area

7.3 The proposed outbuilding is to be situated towards the northern boundary and will not be visible from the highway of Salterns Lane. The outbuilding is to measure 3m x 3.5m with a maximum height of 2.5m, and is to be set 6.3m back from the shoreline to the north. It is considered that the size of the outbuilding can be comfortably accommodated within the extent of the site. The elevations of the outbuilding are to be cedar cladding, with no staining to allow for natural weathering, which complies with the recommendation of the Chichester Harbour AONB Supplementary Planning Document.

The design and appearance of the proposal is deemed appropriate in context to the main building and is therefore considered to be acceptable, meeting the requirements of Policy CS16 of the HBLP (Core strategy). The proposed outbuilding is not considered to be harmful to the views from the north and the Chichester Harbour AONB and would not adversely affect the character and appearance of the AONB.

(iii) Effect on neighbouring properties

- 7.4 Due to the proposed location of the outbuilding, it is considered that there will be no impact to the occupiers of the properties to the east and south. The shoreline is located directly to the north.
- 7.5 The occupiers of the property to the west (5a Simmons Green) have expressed concerns with regard to the proposal, which have been addressed in Section 6. It is noted from the plans that the rear elevation of the outbuilding will sit no closer than 1.25m from the boundary with No. 5a Simmons Green. This rear elevation has no windows or doors and will therefore not result in any significant overlooking.
- 7.6 Concerns have been raised that the proposed outbuilding is going to block light to 5A Simmons Green. It is important to note that a fence of 2m in height could be constructed without the need for planning permission. Although the proposal will be higher than this, with a maximum roof height of 2.5m, it is to be sited 1.25m from the boundary line with No. 5A and as such will result in no greater loss of light. Due to the orientation of the properties, the proposal will result in a small loss of any impact on light the neighbouring property will be to a small section of the garden of No. 5a Simmons Green. The proposal will not result in a loss of light to the property or any designated seating areas. It is therefore considered that there will be no justifiable reason to refuse the application in terms of the impact on neighbouring amenity.
- 7.5 Consequently, it is considered that the proposal will not appear overbearing or lead to overlooking and would have limited and acceptable impact on the properties immediately adjacent to the application site and the properties opposite or to the rear, meeting the requirements of Policy CS16 of the HBLP (Core Strategy). On this basis it is considered that the proposed development would not cause significant harm to the area or the current character and setting of the Area of Outstanding Natural Beauty .

8 Conclusion

- 8.1 The scale, siting and design of the proposal would have limited and acceptable impact on the neighbours and is therefore considered to be appropriate and recommended for approval. In addition the proposal would not significantly harm the character and setting of the Area of Outstanding Natural Beauty.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/18/00464 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:

Site plan – received 03.05.18

Block plan – received 03.05.18

Existing location plan – received 03.05.18

Proposed location plan – received 03.05.18

Proposed location plan showing distance from boundaries – received 03.05.18

Proposed location plan showing tree locations – received 03.05.18

Proposed floor plan and elevations – received 03.05.18

Elevations – received 03.05.18

Foundation detail 2 - received 21.05.18

Concrete pile detail - received 21.05.18

Concrete pile layout spec - received 21.05.18

Method statement for standard pile foundations & TPO foundations - received 21.05.18

Reason: - To ensure provision of a satisfactory development.

- 3 The external materials used shall be natural cedar cladding to the elevations, graphite frames to the fenestration, and Kingspan 4 layer insulated composite roof panel (Olive Green in colour). Any alterations to these materials must be approved in writing by the Local Planning Authority.

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

- 4 The outbuilding hereby permitted shall be used only for purposes incidental to the enjoyment of the dwellinghouse as such and shall not be used for any business, commercial or industrial purposes whatsoever.

Reason: In the interests of the amenity of the area and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 5 The outbuilding the subject of this application shall be constructed in accordance with the submitted details relating to foundation design and implementation.

Reason: To safeguard the health and wellbeing of the TPO trees and having due regard to policies CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.