
Site Address:	59 Sandy Point Road, Hayling Island, PO11 9RR		
Proposal:	Erection of 1No. 5 bed detached dwelling (following demolition of existing).		
Application No:	APP/17/01000	Expiry Date:	20/11/2017
Applicant:	Mr O'Malley		
Agent:	Mr R Lilley	Case Officer:	Tina Pickup
	Lilley Architecture		
Ward:	Hayling East		

Recommendation: **REFUSE PERMISSION**

1 Site Description

The application site relates to a vacant, old small red brick bungalow located on the north side of Sandy Point Road, Hayling Island, with a vehicular access point taken in the eastern corner. The plot is very long, having a length of between 82m and 85m and width of 15m. The existing bungalow has a ridge height of 6m and eaves of 2.6m and is sited fronting the highway set back by about 10m - 11m, with an old pre-fab garage set back behind the bungalow on the eastern boundary. The site is flat, and bounded by a mix of hedges - on the eastern side an evergreen hedge maintained at about 2m high; and on the western side a line of mature trees at the northern end have recently been severely cut back, and the remainder of this boundary is rough hedges and trees with some gaps filled with chicken wire. The front boundary is also hedged. At the rear of the garden, the final northern section is overgrown and not maintained, with log piles from when the boundary trees were felled. This area has some potential for ecological interests and wildlife colonisation.

The site is located within a predominantly residential area, with a bungalow, No 61, immediately to the east. This bungalow is set further back within its plot and therefore behind the existing application bungalow. No 61 has an attached store extending the depth of the bungalow and sited right up to the shared boundary, with a large conservatory across the rear elevation. The 'plot' immediately to the west has no residential development but is a gas canister storage facility, which is understood to be in the ownership and run by the owner/occupiers of No 55 to the west. This dwelling is a more substantial two storey dwelling with a single storey rear addition. The properties in Bosmere Road that back onto the eastern side boundary are generally bungalows.

The site falls within Flood Zone 2 & 3.

2 Planning History

There is no relevant planning history on the site.

3 Proposal

Erection of 1No. 5 bed detached dwelling (following demolition of existing).

It is proposed to replace the existing bungalow with a two storey dwelling - its design would have the appearance of a chalet style from the front (south) elevation having a

ridge height of 7.7m (including raising the ground floor by 300mm above the existing finished floor area for flood risk reasons). Frontage eaves would be 3.4m (excluding verandah) and the side elevation eaves would be 6m high. Amended plans have been submitted during the course of determining this application which now propose a footprint that would measure about 17.5m long plus verandah and rear overhang over rear decked area - making a total length of some 20m. The width would be approximately 10.9m, narrowing slightly at the rear section to 10.2m. The design includes a crown top roof with large lantern light that would project above the ridge. The proposed siting would be 1.5m further back than the existing bungalow and set close to the western boundary (1m) such that a separation of 3.3m to the eastern boundary would remain.

The existing vehicular access would be re-used and surface parking for 3 cars would be provided in the frontage.

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)
DM13	(Car and Cycle Parking on Residential Development)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist

No Objection

The site consists of a single storey bungalow dwelling. Within the neighbouring property's front curtilage there are a number of Leylandii Cypress trees which are considered to be far enough away from the development to be considered a constraint to the development. There exists a young Oak within the front curtilage of the site, however due to its lack of maturity, this would not be considered a constraint.

Within the rear garden of the site, there are a number of boundary line trees which have been heavily reduced, and have no public amenity value due to restricted views from the street scene. Therefore these would not constitute any constraint to development. They are shown to be protected during development and the proposal

will not impact the RPAs.

Should permission be granted please condition that all work is carried out in accordance with the Tree Report and Tree Protection Plan.

Building Control, Havant Borough Council

Windows on west elevation cannot exceed 1m² in area as these are within 1 m of the boundary.

Bin storage provisions required.

Coastal Engineering

No objection to the proposed development.

The site is located within the Environment Agency's Flood Zone 3 and is therefore considered to be at risk of experiencing 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 4.5mAOD by the year 2115, due to the effects of climate change.

Recommendations:

The ESCP advise that a planning condition be imposed to ensure compliance with the submitted Flood Risk Assessment.

In addition, the ESCP strongly recommend that all occupants of the property sign up to the Government's Flood Warning Service and prepare a Flood Warning and Evacuation Plan in accordance with advice from the Environment Agency, to ensure that adequate warning is received prior to an extreme tidal flood event

Crime Prevention -Minor Apps

None received

Engineering Services, Havant Council

No land drainage comments (may be ESCP observations)

Environment Agency

No objection in principle but request conditions re in accordance with FRA & mitigation measures - provision of sub floor void as compensatory flood storage; raised ffl; no sleeping accommodation on ground floor; and building construction.

Comments provided on basis that sequential test has been adequately demonstrated in accordance with NPPF

Officer Note - In this instance the parameters of the sequential test for a 'replacement' dwelling would be the application site itself ie is there a better place on the site for the replacement dwelling?

Highways Engineer, Development Engineer

This is a replacement dwelling which does not have a new access to the Highway so it should be determined by the Planning Authority using standard highway guidance. However I have no adverse comment to this application.

Public Spaces

None received

Environmental Health

From a housing point of view, the property is in need of significant refurbishment or redevelopment to bring it to an acceptable level. The property will likely remain empty with out significant investment and will likely fall into a state of structural disrepair and become a blight upon the neighbourhood.

There are no ongoing nuisance complaints. There have been allegations of burning of felled trees in the past which allegedly persisted for a number of days. There remained at last inspection a large pile of uncovered wood in the garden. Burning of all this wood could may be seen as the easiest method of disposal and would likely lead to complaints from neighbouring properties. There is the potential of combustible materials from the demolition of the existing structure and recommend standard Informative's re bonfires, dust control, light pollution and hours of work.

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: 15

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 5 letters of objection (from 4 addresses)

Comment	Officer Comment
large balcony across first floor rear would enable occupants to see into my garden and rear of my property; trees already cut down; object to roof light sticking up	see comments below
This development is far to big for the site and will have a future impact on any development plans there may be for No. 57 Sandypoint Road. The west side of the house is placed to close to the boundary which will have an impact on the current storage facilities that are there as the main access to No. 57 will be just one meter from the west side of the new dwelling. removal of foliage to make way for the new house will also have an impact on the storage facilities next door if not replaced with a suitable permanent alternative.	application needs to be considered on its merits having regard to current site circumstances and cannot take account of any future un-known development adjacent understood that gas containers stored at northern end of site and not immediately adjacent proposed dwelling; the safety aspects of gas storage covered by H&SE and other legislation. Loss of boundary treatment could be conditioned for replacement.
square bay window at front of our house provides only light to sitting room and we sit and read etc; size and height will cut out daylight totally, also	see comments below

to front garden; windows on east side will overlook and intrude on our privacy; height of balcony at rear will intrude onto rear garden privacy and overlook; privacy of rear conservatory would also be intruded upon; concerned about flooding to our property as on a flood plain; workshop and kitchen adjoin side of our house and proposed house will be within 3m, coming within the Party Wall Act, especially when foundations are dug which will cause problems, including flooding.	Part Wall legislation separate to planning
development is too big for area; Env Health have attended site recently re renting it out when not fit for habitation; new building not for personal use but for profit via rental; why 5 bedrooms?; drainage and power not fit for purpose and will cause major disruption to this main bus route and feed road for local marina, life boat and the bottled gas storage next door; poor state of repair of existing property was allowed by current owner, hedging his bets when applying for new building and saving him effective repairs; plans flawed - original plans show a staircase and upper floor; but infact no staircase in this property; if drawing manipulated/incorrect can other details be trusted.	Env health matters and Informative's recommended application submitted as single family dwelling disturbance during construction process not material consideration - Informative's can be added Noted

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) Flood Risk
- (ii) Impact upon the character and appearance of the area
- (iv) Impact upon residential amenity
- (v) Trees
- (vi) Contributions

(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. The principle of a one for one replacement dwelling is therefore acceptable, provided all other

matters comply with relevant policies and there would be no resultant harm.

(ii) Flood Risk

The site lies within Flood Zone 3 where there is a high risk of flooding and new residential development is classified as 'more vulnerable'. Accordingly additional dwellings on the site would be subject to the sequential test and there are better sites at less risk of flooding elsewhere on Hayling Island. Previous pre-application enquires have advised of this position and advice given that additional dwellings on the site would not be supported.

However as a one for one replacement the sequential test need only apply to the application site itself. Since the whole site is flood zone 2 and all bar a tiny strip at the northern most edge is also flood zone 3, then there is no better position within the site for a replacement dwelling. Additionally a replacement dwelling offers the opportunity to improve and reduce the flood risk for future occupiers. The submitted FRA indicates that the finished floor level would be raised 300mm above the existing, all sleeping accommodation would be on the first floor instead of the ground; and a subfloor void would be provided. On this basis there is no objection to the proposal on flood risk grounds.

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

In street scene terms, the proposed chalet style appearance of the front, southern, elevation would be appropriate in the context of the surrounding residential properties and would represent a logical step down from the two storey house at No 55 to the west and the bungalow to the east. However the development would not be read in strict isolation of just the front elevation, but due to its siting forward of No 61 to the east, the side elevation would also be prominent in street scene terms. Oblique angled views of the return flank wall would be possible from the east in Sandy Point Road across the frontage of No 61, aswell as from Bosmere Road between No 63 Sandy Point Road and 27 Bosmere Road.

It is considered that the poor design solution with extensive crown top roof results in particularly bulky side elevations. The proposed eaves line would be at 6m high which is the same as the existing ridge height. The proposal would result in a 14m long eaves line, which at 6m high, is considered a very dominant and overbearing side facade. The entire roof would be set at the same overall height of 7.7m. There is no significant articulation or recessive rear elements to the proposed side elevation which would be visually bulky and considered harmful to the visual amenity of the area. It would also be harmful to the outlook of the occupiers of No 61 from their front bay window.

The adopted Borough Design Guide SPD 2011 aims to raise the standard of design. At table 4.1 this encourages development to reflect the layout and pattern of development in the area, looking at neighbouring properties first. It is particularly noted in the SPD that long monotonous rooflines should be avoided. Section 5 also encourages side and rear extensions to be subservient to the main dwelling - and whilst this application is for a new dwelling, nevertheless it is considered that the side and rear element lacks any subserviency to the main frontage chalet design.

Overall the extensive side elevations and crown top roof are considered a poor design solution that would be overly dominant and bulky, harmful to the visual appearance of the street scene and contrary to Policy CS16 and the Borough Design Guide SPD.

(iv) Impact upon residential amenity

The proposed eastern flank wall would be sited about 3.3m from the shared boundary with No 61. However, at 6m high to eaves and 7.7m to ridge, and for a continuous length of 19m, this is considered to be overbearing to No 61 and detrimental to their outlook. The orientation is such that this flank bulk would be due west of No 61 and therefore would result in loss of evening sunlight and associated overshadowing to this frontage area. The layout of No 61 includes a frontage bay window in which seats are arranged for quiet reading and the room is a long through room with no other side window and hence is reliant on light from the bay window. The proposed development would result in additional overshadowing and loss of evening light to this room detrimental to the amenity of the occupiers of No 61, contrary to policy CS16.

In terms of potential overlooking and loss of privacy, the proposed first floor side window to the bedroom would sit some 6m back from the front of the dwelling (excluding verandah overhang) which would be approximately aligned with No 61's bay window and thus enable views down into this room. In such close proximity this would lead to a perception of being overlooked and there would be some loss of privacy from this room compared to the existing first floor side window that is further forward.

The rear balcony has been amended to now sit in the western two thirds of the rear elevation only with the forward positioning of the en-suite effectively providing a screen to the east. Therefore the material harm from any overlooking from the use of this balcony is considered to be marginal in this built up area. The roof of the conservatory at No 61 is opaque, so it is unlikely that views down into the conservatory would be gained. The length of the garden and separation distances is such that overlooking to the properties in Bosmere Road and Haven Road would not result in any actual harm to amenity.

To the west, number 55 is buffered by the gas storage facility and this added separation distance would protect the occupiers of No 55 from any adverse impact. It is acknowledged that the proposed siting close to the western boundary may result in the loss of some of the western boundary hedge and screening adjacent the proposed dwelling, but nevertheless this is unlikely to result in any harm to the amenity of occupiers on No 55. If permission had been recommended then details of alternative boundary fencing screening could be conditioned.

(v) Trees

The arborist has noted that the large cypress trees that are located beyond the site boundary are sufficiently distanced from the proposed development to be unaffected. The western boundary trees have recently been reduced and although the subject of neighbour disputes over ownership and the nuisance caused by the resultant bonfires, these are not planning matters. As a boundary, about half of the existing trees and most of the hedging is shown for retention on the submitted Tree Retention Plan. It is noted that the hedging immediately adjacent the proposed dwelling would be removed where within the application site. Protective fencing is also proposed for the construction stage. On balance it is considered that a reasonable natural boundary would remain to sufficiently screen the residential curtilage and therefore there is no objection on tree grounds.

(vi) Contributions

As a replacement dwelling the development does not trigger the Recreational Disturbance to SPA's contribution, but would be CIL liable. The appropriate CIL forms have been completed but it is noted that the existing floorspace figure includes the first floor rooms as shown on the existing plans. However third party representations have noted that the existing dwelling does not have any stairs and these are not habitable rooms on the first floor. This fact is unverified and it is not known whether the CIL credit for residential floorspace should include this first floor area. In light of the recommendation for refusal, this matter has not been resolved nor a Draft Liability Notice prepared or sent - these matters could be resolved at appeal stage if necessary.

8 Conclusion

It is considered that the over large and bulky design of the proposed replacement dwelling would be visually harmful to the street scene, aswell as being overbearing and dominant to the occupiers of No 61. A loss of light to No 61 would also result, which is considered would be harmful to their residential amenity. Accordingly the application is considered contrary to policy CS16 and the adopted Design Guide SPD and therefore recommended for refusal.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **REFUSE PERMISSION** for application APP/17/01000 for the following reasons

- 1 The proposed development, by reason of its siting forward of No 61 Sandy Point Road and excessive depth, poor design and use of extensive crown top roof would result in a development with bulky flank elevations that would be overbearing and dominant, representing an incongruous feature within the streetscene as viewed from the east , adversely impacting the visual amenities of the area. The proposal is therefore contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, the Borough Design Guide SPD 2011 and the National Planning Policy Framework 2012.
- 2 The proposed development, by reason of its siting forward of No 61 Sandy Point Road and excessive depth, poor design and use of extensive crown top roof would result in a development with bulky flank elevations that would be overbearing and dominant being detrimental to the visual outlook and amenities of the occupiers of No 61 Sandy Point Road. Furthermore, by virtue of its orientation, first floor side window, the excessive height and length of the eastern side elevation would result in a loss of light, privacy and overshadowing to the property to the east, harmful to the amenities of No 61 Sandy Point Road. The proposal is therefore contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, the Borough Design Guide SPD 2011 and the National Planning Policy Framework 2012.