

Recommendation: **GRANT PERMISSION**

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

CS16 (High Quality Design)

CS17 (Concentration and Distribution of Development within the Urban Areas)

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 response received.

Engineering Services, Havant Council

No drainage observations.

Environment Agency

No response received.

Langstone Harbour Board

The Board's Planning Sub Committee has considered this application and has no objections to the proposals.

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 strongly object to the proposed addition of a first floor balcony which will overlook our garden and infringe our privacy. In addition, the screening on the east side of the new proposed balcony will block the view and light into our house in the afternoon/evening.	See section 7.

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
- (iv) Flood issues

(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.

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

7.3 The proposal is for new cladding, a small first floor infill extension, a new first floor window on the eastern elevation, balustrading to the existing raised decking and existing first floor flat roofed area to the rear, creating a first floor balcony area with side screens, front porch canopy and balustrading and window and door alterations to the northern, southern and western elevations, (although some of these works do not require the benefit of planning permission). The development is to upgrade and enhance the exterior of the existing property and utilise the rear first floor flat roofed area and would not result in any increase in the overall footprint of the property. Part of the proposal would be visible from the public realm, although the property is set back 14 metres from the highway.

7.4 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). It is considered that the scheme would not result in an adverse impact on the visual amenity of the locality.

(iii) Effect on neighbouring properties

7.5 The scheme does not extend beyond the existing side elevations of the property, however concerns have been raised regarding the first floor balcony overlooking the garden of the neighbouring property to the east and the proposed privacy screening reducing the view and light to the property. The depth of the proposed balcony is 1.8 metres to the eastern side reducing to 1.4 metres to the western side and the proposed privacy screens are 2 metres high. This part of the property is situated approximately 1 metre away from the eastern boundary with the neighbouring property. The rear elevation of this property projects slightly beyond the rear elevation of Sinah House.

7.6 With respect to the loss of light, a 45 degree angle test was subsequently carried out as set out under the adopted supplementary planning guidance of the Borough Design Guide, which verified the proposed balcony screening meets the requirements for adequate daylight to this property, therefore the overall impact is considered to be acceptable.

7.7 Regarding the potential loss of privacy to the neighbouring property, it is judged the proposed screening will limit this, furthermore there are existing large windows in the rear elevation of the property, therefore a degree of overlooking already exists. It is also noted similar developments have been carried out to properties in the surrounding area (including the neighbouring property to the east), resulting in views in to the application site and neighbouring properties from other balconies. Reduced privacy is therefore an accepted characteristic of the area.

- 7.8 The rear of the property to the west extends beyond the rear elevation of Sinah House and two existing first floor windows on the western elevation of the property are to be reduced in size and one is to be blocked up. It is therefore considered that any resulting impact on this property would not be unacceptable.
- 7.9 There is one window proposed at first floor in the eastern elevation to serve a bathroom, which would face the windows in the side of the neighbouring property. In order to limit any perception of overlooking and protect the privacy of the occupiers of the neighbouring property a condition is recommended for this window to be obscure glazed and fitted with window restrictors.
- 7.10 It is deemed the proposed works to the front of the property including the new porch canopy would have a negligible effect on the adjacent properties.

(iv) Flood issues

- 7.11 The site is within Flood Zones 2 and 3, however the proposed development is for alterations to the fenestration and the provision of balustrading to provide a balcony over an existing flat roofed area and decking, and will therefore not put the occupiers or employees of the emergency services at any additional risk in the event of a flood.
- 7.12 Consequently, it is considered that the proposal is unlikely to 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). It is noted no letters of objection were received with respect to the scheme.

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.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/18/00149 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 external materials used shall be as stated under Section 11 (Materials) of the application form. **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.
- 3 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, prior to first occupation of the development hereby permitted, the window in the first floor on the eastern elevation serving the bathroom shall be fitted with textured glass which

obscuration level is no less than Level 4 of the Pilkington Texture Glass scale (or equivalent) and fitted with restrictors, which are to restrict opening to a maximum of 50 mm for ventilation and retained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.

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

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

Drg no. 1513-111O	Location and block plan
Drg no. 1513-211A	Existing floor plans
Drg no. 1513-311O	Existing elevation plans
Drg no. 1513-412B	Proposed floor plans
Drg no. 1513-512B	Proposed elevation plans

Reason: - To ensure provision of a satisfactory development.

- 5 Prior to the occupation of the development/extension the 2 metre high slatted screens as shown on plans 1513-412 B and 1513-512B shall be installed and retained at all times unless otherwise agreed in writing by the Local Planning Authority.

Reason: To maintain the privacy of neighbouring properties in accordance with policy CS16 of the Havant Borough Core Strategy 2011.