

There would be no increase in footprint or increase to ridge height than the previously approved application.

Following concerns raised by Chichester Harbour Conservancy (CHC) with regards to the eaves increase and level of glazing, amended plans were received on 26 October 2016. However, these were still deemed to be unacceptable. Therefore further amended plans were received on 11 December 2016. These included the following changes:

- Reducing the eaves by 1m from the front of the rear elevation, extending 2m back along the roof and then raising the height of the eaves back up by 1m.
- Reduction in glass panels on the rear elevation at first floor level.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS12	(Chichester Harbour Area of Outstanding Natural Beauty (AONB))
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS21	(Developer Requirements)
CS9	(Housing)
DM13	(Car and Cycle Parking on Residential Development)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)
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Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Chichester Harbour Conservancy:

Initial response:

The proposed revision adds much more bulk to the profile of the dwelling and is a much greater step up to a full 2 storey eaves line. This has had the effect of making the roof far shallower and markedly divergent from the hipped roof pitches of its neighbours. Whereas a tiled roof is proposed in the application form, I do wonder whether such a shallow pitch would bear the weight of a roofing tile. Notwithstanding the desire for more usable headroom inside at first floor level, Conservancy Officers consider the differences between the approved and proposed schemes to be unacceptable and visually jarring in the context of neighbouring properties, especially when viewed from the Harbour.

Updated response based on the amended plans:

Conservancy officers would now be satisfied with the modified proposals.

Natural England:

Revised plans:

Include condition relating to the use of non reflective glass.

Environment Agency:

No objections

Engineering/Drainage:

No objections

Arboriculturalist:

No objections

Building Control, Havant Borough Council

No objections

Coastal Engineering

County Ecologist

No objections

Development Engineer

No objections

Hampshire Wildlife Trust:

No comments received

Waste Services Manager:

No objections

Royal Society for the Protection of Birds:

No comments received.

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: 5

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 3 objections from 2no. addresses. Summary as follows:

- i. overdevelopment of the site
- ii. opposite bungalows overlooked.
- iii. no regard for wildlife
- iv. No. 1 Simmons Green would be overlooked.

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 application site and locality
- (iii) Impact on neighbouring amenity
- (iv) Developer contributions and other matters

(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 replacing the existing bungalow with a new dwelling featuring accommodation on two floors was accepted under extant permission APP/15/00503.

(ii) Impact on the application site and locality

The footprint and overall height of the new dwelling would be the same as that approved under APP/15/00503. Therefore this application is mainly considering the changes proposed to the extant planning permission which is principally to the eaves height to allow more internal head height. Initially this increase occurred from the rear elevation all the way back across the roof. However, following concerns raised by CHC Conservancy over the visual impact on this, the plans were amended so that the eaves height increase does not start until 2m back from the rear elevation. The rear elevation therefore has less visual impact on the harbour setting. The level of glazing has also been reduced as a result. CHC has confirmed that they have removed their objection to the amended plans. Therefore it is considered that the revised proposal would not have a harmful impact on the setting of Chichester Harbour.

With regard to the impact of the raised eaves levels on the Swans Walk/Simmons Green street scene, the proposed dwelling would have a bulkier appearance than the existing dwelling. However, a higher and more bulky dwelling has already been approved under APP/15/00503. The changes to this proposal with regards to the raising of the eaves height are not considered to alter the appearance of the already approved dwelling to such a level, that this would constitute a reason for refusal. Overall it is considered that the revised proposal would not have a detrimental impact on the character and appearance of the application site or locality. Also the use of varying materials and the staggered footprint of the dwelling should ensure that it is not detrimentally dominant in the street scene.

(iii) Impact on neighbouring amenity

There are no dwellings to the rear of the site. The dwellings to each side would sit approximately in line with the development and at approximately the same distances and angles as the existing dwelling. There would be an effective increase in eaves height but it is considered that the retention of boundary treatments should ensure there would be no significant increase in overbearing effect or shadowing to these properties. This revised scheme would comprise an increase in eaves height by 1m along part of the roof. This height increase would be appreciable to the neighbouring properties when viewing the site from side facing windows. However, it is not considered that the impact would be harmful enough to warrant a refusal of the application because it would not extend past either the rear or front building lines of

the immediate neighbours and therefore the impact would be limited. It is noted that neither of the immediate neighbours made any objections to the proposed development.

The heights of the proposed side elevation windows and rooflights can be conditioned in order to prevent overlooking in these directions. The proposal involves a significant amount of glazing to the rear elevation, but the upper elements would be serving a bedroom and an open void above a ground floor dining room. Rear first floor dormers are already a feature in the immediate locality and proposed external vertical battens should direct views northwards and restrict oblique views to the sides.

Although the head of the cul-de-sac is quite narrow, the proposal would be sited at approximately 7 metres (to the boundary) and 13 metres (to the dwelling) from the opposite property (4 Swans Walk). The scale and relationship of the proposal with this neighbouring dwelling (i.e. at a reasonable distance and to the north) is such that it should not result in a significant increase in overbearing effect or shadowing.

The proposal would introduce a significant amount of full length glazing to the front elevation. However, this would mostly be located within the stepped back element (i.e. approximately 13 metres (to the boundary) and 16 metres (to the dwelling) from the opposite property). Furthermore, there are windows in the corresponding elevation of the existing dwelling, facing on to the exposed frontage of number 4. A Silver Birch and hedge are also proposed in the front garden to offer a degree of screening between the two properties. Taking these factors into account, it is considered that the proposal should not result in a detrimental increase in overlooking of this property.

(iv) Developer contributions and other matters

The proposal is subject to the Community Infrastructure Levy however, the required self build forms have been submitted. As a one-for-one replacement, the new dwelling would not be liable to a financial contribution in respect of the Solent Recreation Mitigation Project.

There is no statutory objection to the proposal on highway safety grounds and parking and cycle storage, as well as bin storage, can be comfortably accommodated within the site. The northern edge of the site is subject to nationally and internationally important landscape and ecology designations and statutory consultees have recommended conditions in this regard. Because of these sensitivities, it is also considered appropriate to control future extensions and garden structures by way of a planning condition.

8 Conclusion

The revised application is considered to be acceptable, subject to appropriate conditions and should not have a detrimental impact on the character and appearance of the application site or locality or the amenity of occupiers of neighbouring properties. The planning application should therefore be approved.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/16/00878 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 - T355/10 A received on 11 December 2016
Design and Access Statement
Location Plan - P1
Amended floor plans - T355 1F received on 11 December 2016
Amended elevations - T355 2L received on 11 December 2016
Reason: - To ensure provision of a satisfactory development.
- 3 Construction of the building hereby permitted shall not commence until samples and details of all external facing and roofing materials, including those to be used for fascias, battens, window frames and glazing shall be submitted to and approved by the Local Planning Authority. Thereafter only such approved materials and finishes shall be used in carrying out the development.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS12, CS16 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 4 Construction of the building hereby permitted shall not commence until detailed design of the proposed photo-voltaic roof panels shall be submitted to and approved by the Local Planning Authority. Thereafter only such approved design shall be used in carrying out the development.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS12, CS16 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 5 No development hereby permitted nor any related site clearance shall commence until Heras fencing protection to prevent damage to existing trees on the site throughout implementation of the same has been erected in accordance with the site survey drawing approved by Condition 2 and at least 7.5 metres from the tree trunks. The fencing shall be maintained at all times while the site clearance and/or development is in progress. Any such tree which is nevertheless seriously damaged during that site clearance and/or development shall be replaced within the first planting season following the occurrence of such damage by another of the same species in the same position and of not less than Extra Heavy Standard when planted.
Reason: To safeguard the continued health and presence of such existing vegetation and protect the amenities of the locality and having due regard to policies CS11, CS12, CS16, DM8 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 6 No above ground development hereby permitted shall be commenced until a more detailed soft landscaping scheme for the frontage of the site has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the species and planting sizes of the tree and hedging to be planted, and timing provisions for completion of the implementation of all such landscaping works.
The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions. Any item planted or retained as part of such approved landscaping scheme which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.
Reason: To ensure the appearance of the development is satisfactory and to protect the amenities of adjoining residential properties, and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 7 Development shall proceed in accordance with the ecological mitigation and enhancement measures detailed within the Phase 1 Ecological Survey (EcoSupport, August 2015) unless otherwise approved in writing by the Local Planning Authority.
Reason: To safeguard the continued health and presence of ecological features and having due regard to policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 8 No percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbAmax – measured at the sensitive receptor) shall be undertaken during the bird overwintering period (i.e. October to March inclusive). Note: The sensitive receptor is the nearest point of the Special Protection Area (SPA) or any SPA supporting habitat (e.g. high tide roosting site).
Reason: To safeguard the continued health and presence of ecological features and having due regard to policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 9 All materials, equipment and machinery shall be stored within a designated compound within the curtilage of the property, in a location to be agreed by the Local Planning Authority prior to the commencement of the development, including any site clearance works.
Reason: To safeguard the continued health and presence of ecological features and having due regard to policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 10 No part of the development shall be first occupied until details of the type, siting, design and materials to be used in the construction of all means of enclosure including boundaries, screens or retaining walls, have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.
Reason: To safeguard the amenities of the locality and occupiers of neighbouring property and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 11 All the ground and first floor windows to the east and west elevations of the dwelling shall either have a minimum cill height of 1.75m above finished floor level, or be fixed shut at all times and be and remain glazed entirely with obscure glass, the particular type of which glass shall provide a degree of obscuration no less obscure than that which is provided by Pilkington's Texture Glass Obscuration Level 4.
Reason: To protect the amenities of adjoining residential properties and having due regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 12 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extension (including any extensions to the roof), building or structure permitted by the Order, as amended, shall be erected within the curtilage of the site without the prior written approval of the Local Planning Authority.
Reason: To safeguard the amenities of the locality and to protect the amenities of adjoining residential properties and having due regard to Policies CS9, CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.