

Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011
CS16 (High Quality Design)

Submission Version Havant Local Plan
E1* (High quality design)

5 Statutory and Non Statutory Consultations

Councillor Brenda Linger - Hayling West

No comments received.

Councillor Clare Satchwell - Hayling West

No comments received.

Councillor I Scott Hayling West

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: 58

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

One letter of objection raising the following concerns:

- Loss of further morning light/sunlight
- New elevation will be overpowering, will look bland and unsightly
- Not in keeping with the two storey houses to the west
- Foundations are not designed to take the additional weight

7 Preliminary Matters

- 7.1 Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (the GPDO), permits development consisting of the enlargement of a dwellinghouse by construction of up to two additional storeys, where the existing dwellinghouse comprises two or more storeys.
- 7.2 As detailed within the GPDO, development under Class AA is permitted subject to a condition that before the beginning of the development, the developer must apply to

the Local Planning Authority for prior approval. The Local Planning Authority may refuse the application where it considers that the proposal does not comply with the limitations or restrictions that are applicable to such permitted development.

7.3 The developer must apply to the Local Planning Authority for prior approval as to –

- (i) impact on the amenity of any adjoining premises including overlooking, privacy and loss of light;
- (ii) the external appearance of the dwellinghouse, including the design and architectural features of –
 - (aa) the principal elevation of the dwellinghouse, and
 - (bb) any side elevation of the dwellinghouse that fronts a highway;
- (iii) air traffic and defence asset impacts of the development; and
- (iv) whether, as a result of the siting of the dwellinghouse, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15 March 2012 issued by the Secretary of State.

7.4 The provisions of the GPDO require the Local Planning Authority to assess the development proposals solely on the basis of the limited number of considerations set out above in paragraph 7.3.

7.5 Development Plan Policies and the National Planning Policy Framework 2021 can be considered relevant to prior approval cases insofar as they relate to the development and prior approval matters.

7.6 In addition to the above, there are a number of criteria that need to be complied with which are set out within the GPDO.

7.7 It is noted that the proposed additional storey includes two windows in the side (east) elevation. As such, this fails criterion AA.2. (2) (b) which states:

- (b) *the development must not include a window in any wall or roof slope forming a side elevation of the dwellinghouse.*

7.8 Therefore, the proposal does not comply with the limitations or restrictions that are applicable to such permitted development.

8 Planning Considerations

- (i) impact on the amenity of any adjoining premises including overlooking, privacy and loss of light;

8.1 It is considered that this criterion does not exclude considerations of other potential impacts on adjoining premises.

8.2 The proposed development would increase the height of the existing building from approximately 7.8m to approximately 10.7m which equates to an increase of height of approximately 2.9m.

- 8.3 Due to the juxtaposition of No.93 and 93a, the increase in scale and massing with a full three storey appearance would result in an overbearing impact to the occupiers of 93a adversely impacting upon their residential amenity. In addition, there would also be some loss of sunlight to No.93a as a result of the development.
- 8.4 The proposed development would include windows front and rear; however, it is not considered that there would be a significant increase in overlooking or loss of privacy as a result of the development.
- 8.5 Consequently, it is considered that the proposal will appear overbearing and lead to a loss of light to the neighbouring property, No.93a. As such, the proposed development is contrary to the requirements of Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, the Havant Borough Council Borough Design Guide SPD and the National Planning Policy Framework 2021.

(ii) the external appearance of the dwellinghouse, including the design and architectural features of –

- (aa) the principal elevation of the dwellinghouse, and
- (bb) any side elevation of the dwellinghouse that fronts a highway

- 8.6 As noted above, there would be a significant increase in height of the existing dwellinghouse. However, in this particular instance, the GPDO expressly intends to enable the enlargement of existing dwellinghouses by construction of additional storeys, which, by definition, would inevitably have some impact on the appearance of the host property and surrounding area.
- 8.7 Whilst the proposal would increase the height, scale and massing of the existing dwelling, there is a large building immediately adjacent to the east (Bayview Flats) and in this context the resultant scale is considered acceptable in terms of impact on the host dwelling and the character of the area.

(iii) air traffic and defence asset impacts of the development

- 8.8 Not applicable in this instance.

(iv) whether, as a result of the siting of the dwellinghouse, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15 March 2012 issued by the Secretary of State.

- 8.9 Not applicable in this instance.

9 Conclusion

- 9.1 The proposed additional storey includes two windows in the side (east) elevation. As such, this fails criterion AA.2. (2) (b) which states:

- (b) *the development must not include a window in any wall or roof slope forming a side elevation of the dwellinghouse.*

Therefore, the proposal does not comply with the limitations or restrictions that are applicable to such permitted development.

- 9.2 The proposed development by reason of increase in height, scale and massing, would adversely affect the residential amenities of the neighbouring property, No.93a, by reason of appearing overbearing and loss of sunlight.

As such, the proposed development is contrary to the requirements of Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, the Havant Borough Council Borough Design Guide SPD and the National Planning Policy Framework 2021.

10 RECOMMENDATION:

That the Head of Planning be authorised to **REFUSE PRIOR APPROVAL** for application APP/21/01305 for the following reasons:

1

- (1) The proposed additional storey includes two windows in the side (east) elevation.

As such, this fails criterion AA.2. (2) (b) which states:

(b) the development must not include a window in any wall or roof slope forming a side elevation of the dwellinghouse.

Therefore, the proposal does not comply with the limitations or restrictions that are applicable to such permitted development.

- (2) The proposed development by reason of increase in height, scale and massing, would adversely affect the residential amenities of the neighbouring property, No.93a, by reason of appearing overbearing and loss of sunlight.

As such, the proposed development is contrary to the requirements of Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, the Havant Borough Council Borough Design Guide SPD and the National Planning Policy Framework 2021.