
Site Address:	2 Boxgrove, 392 Sea Front, Hayling Island, PO11 0BD		
Proposal:	Replacement of existing ground floor rear window with sliding door to allow access to rear garden.		
Application No:	APP/15/01240	Expiry Date:	29/02/2016
Applicant:	Mr A Fernandez	Team:	Team 2
Agent:		Case Officer:	Karen Wooden
Ward:	Hayling West		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 Boxgrove, 392 Sea Front, Hayling Island is a modern purposed built gated block of apartments located on the Sea Front. The block comprises of 5 apartments spread over three floors. The two first floor apartments and the penthouse on the second floor all benefit from balconies to the front. The two ground floor apartments (one of which is the application site) benefit from patio areas to the front which overlook a small area of private amenity space and the residents car park. Currently the access to the rear communal gardens for all 5 apartments is via the front door.

2 Planning History

None relevant to this application

3 Proposal

Replacement of existing ground floor rear window of the bedroom to the rear of the apartment with a sliding door to allow access to rear garden.

4 Policy Considerations

National Planning Policy Framework

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

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

None required for this application.

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: 14

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 4

(a) It is believed that this contravenes the terms and conditions of the lease. *This is not a planning consideration and would need to be discussed with the board of directors of the apartments*

(b) If permitted, any contractor would need to be insured for a minimum of £2 million pounds. *This is not a planning consideration and would need to be discussed with the directors of the apartments.*

(c) Impact on the security of the building. *Addressed below*

(d) Detrimental to visual appearance of building. *Addressed below*

(e) The doors will encroach communal land. *Addressed below*

(f) Concerns that the applicant will treat the communal garden area as private amenity space as only they will have access direct from their flat. *This is not a planning consideration*

(g) The external wall, as per the lease, is owned by all 5 flat owners. *Although this is not a planning consideration, the applicant had signed Certificate A and therefore it was necessary to obtain a signed Certificate B and re-start the application from the date in which the revised certificate was received.*

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 upon the streetscene and existing building
- (iii) Impact upon residential amenity

(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.

(ii) Impact upon the streetscene and building

The proposal is located to the rear of the property and therefore will have no impact on the streetscene. Although it is acknowledged that the alteration to the rear of the building will not match the current symmetry, the materials to be used will match the existing and therefore this change is not be considered significant enough to warrant a refusal the application and therefore it complies with policy CS16 of the Havant Borough Core Strategy 2011.

(iii) Impact upon residential amenity

Neighbour concerns have been raised regarding the impact that the patio door will have on the other residents of the block. The plans show that the door will be a sliding door which, when opened, will not encroach on the communal path, therefore not restricting the access for the other occupants. The applicant is

aware that this path, along with the rest of the garden, is communal and no part is to be used as private amenity space. Should planning permission be granted for the door, the land will still be communal and the applicant would not have any more rights over the garden area than any of the other occupants of Boxgrove. It is understood that prior to any works commencing the applicant will need to obtain consent from the Board of Directors of the apartments (each owner has a 20% stake).

The issue of security has been raised as it is felt that a patio door may increase the risk of a break-in. The site is already relatively secure due to the security gate to the front and it is not considered that the proposed works would cause a significant risk to security, and therefore this would not be a sufficient reason to refuse the application.

It has been noted that the rear elevation wall of the flats is owned by the freeholders and the lease states no changes are permitted. The ownership of the wall is not a planning consideration and therefore this would need to be taken up with the board of directors of the apartments prior to any alterations to the wall.

Taking into consideration the above, it is not considered that the proposal will have an adverse impact on residential amenity and therefore complies with policy CS16 of the Havant Borough Core Strategy 2011 and the Borough Design Guide.

8 **Conclusion**

The proposed replacement of a window with a sliding door is considered to comply with policy CS16 of the Havant Borough Core Strategy, and therefore this application is recommended for approval.

9 **RECOMMENDATION:**

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/15/01240 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 Compulsary Purchase Act 2004.
- 2 The external materials used shall match, in type, colour and texture, those of the existing building so far as practicable.
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 The development hereby permitted shall be carried out in accordance with the following approved plans:
Information from Designer Windows Limited - Received 30.10.15
Block Plan - Received 17.11.15
Location Plan - Received 17.11.15
Photograph - Received 30.10.15
Reason: - To ensure provision of a satisfactory development.