

CS17 (Concentration and Distribution of Development within the Urban Areas)
DM10 (Pollution)

Havant Borough Local Plan (Allocations) July 2014
AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements)

Borough Design Guide

Listed Building Grade: adjacent
Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist

The supporting arboricultural evidence is comprehensive and I raise the following points:

Extensive tree removal is required to facilitate development, some trees – T9 and T10 have already been removed. The loss of the Leyland Cypress T12 and T13 will reduce screening for the neighbours to the rear. The Conifer hedge G1 will also impact negatively on the privacy currently enjoyed by the neighbour to the western aspect. None of the trees above are of a TPO quality and do not meet with a defensible position in terms of statutory protection.

I would like to see a Landscape Mitigation Plan with proposals for mitigation planting for the proposed tree loss.

Environmental Health

I note the plant room referred to is located the nearest point to a neighbouring residence; the opposite side of the house next to a driveway and tennis court, would have made more sense to me, plus it would be closer to pool, saunas etc, which is what I am assuming the plant room is for.

The soundproofing proposed, would possibly be suitable; however we are not told what plant is to be installed in the plant room, will it be fixed to wall / floor, vibration absorbent fixings to be used, will the access door also be sound proofed, will the ceiling be soundproofed, are air vents required in the walls for the plant to be kept cool, if so will suitable acoustic vents be used? Also will the plant be running 24/7 or only during the day?

I think a condition requesting further information to be provided as to what plant is to be installed (they may have an air source heat pump on the cards amongst other plant), and to cover all the other points is required. It may also be prudent to request expected noise levels from said plant room, at the boundary with the neighbouring property.

Conservation Officer - Initial Plans

The Saltings and the adjacent building (No.44) to the west are both listed. They were designed as holiday homes by the renowned architectural practice Connell, Ward and Lucas. The practice only had a short duration and accordingly undertook relatively few commissions. The work undertaken in the 1930's however was at the forefront of the International Style and serve as exemplars for the period. Accordingly many have gained national recognition through statutory listing. They are noted for the use of

concrete and the finesse of execution resulting in crisp fine lines and detail.

No 40a, subject of the current application is unfortunately a poor imitation. The building currently sits centrally in the plot with a generous gap to most boundaries. There is a very large detached single storey flat roofed structure immediately to the front, with roof terrace.

The proposal involves the very significant enlargement of the property and extends the footprint across the whole width of the plot and to the rear boundary. In terms of the indoor swimming pool, this is set on the eastern boundary and therefore the direct impact on the Saltings will be limited and of itself broadly acceptable in terms of impact on the setting of The Saltings. It is intended to include a roof balcony, which has the potential to directly overlook the neighbouring private garden, which is a general planning consideration and an aspect you are already investigating.

There is currently some limited screening along the western boundary by the way of a row of *leylandii* or similar. Although not particularly great specimens (in my view) they do serve to partially screen and contain the present house and its grounds. The proposal is to extend the property by means of a part two storey/part single storey extension to within a metre of the boundary. This will remove any vegetative screening that currently exists and make the house far more imposing. The new boundary wall will be c 2.9m within a metre of the boundary. The resulting intrusion and greater dominance of the built form so close to the boundary will negatively impact on the setting provided for the listed building to its detriment.

Taking into account the existing buildings and a reasonable addition to these facilities, I feel there is an opportunity to provide much of what is being sought. It should be possible to achieve this in a more compact and better designed form, which would make the scheme more acceptable.

I have not had an opportunity to work in any detail on alternatives and to test in sketch form, but as a guide I advise the following necessary minimum modifications:-

- Reduction in the footprint of both the single and two storey western elements which currently infill the gap between the current house and side boundary. I wish to see the new building pulled significantly away from the side boundary to allow the provision of intermediate screening. As a rough guide reducing the width to 3.8m. This would still accommodate a satisfactory plant room and generous single garage,
- Reduction in the first floor element to provide an en-suite and dressing room more on a par with the size of that provided to Bed 3.
- As currently designed the garage and first floor fenestration sit visually very uncomfortably together. In reducing the footprint the relationship should be revisited and improved.
- On many occasions copying existing detail is the correct approach. A strange approach has been taken to the rendering of this building with a mix of roughcast and smooth render. With such a significant remodelling of the building there is an opportunity to at least attempt to improve some aspects of the design. The building is never going to have the finesse of its listed neighbours but a smooth crisp render coat would be an advance on what currently exists.

I have confined my comments to aspects of the design which most significantly impact on the listed building and its setting. Hence I have not given much thought or attention to the overall design or extensions planned to the east.

SUMMARY

This application requires amendment as outlined to lessen the impact on 42 Sinah Lane (grade II listed). Given the size of the plot, exiting buildings and substantial extensions proposed this should be readily achievable.

Amended plans The changes are an improvement on the original proposals, but still larger than previously outlined and I would like. However, there is now an offset from the boundary which should allow the maintenance or introduction of some new planting along the boundary. This would diminish the direct impact of the proposals to a position where it would be difficult to sustain an objection on setting grounds. Purely on a cosmetic point, I understand the new (and existing work) was to be finished in a crisp smooth render. This is not what the drawings suggest, or something I could insist upon, but would help visually improve the external appearance.

NO OBJECTION

Development Engineer - Highways

The Highway authority has no adverse comment to 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: 9

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 3

Summary:

Sinah Lane has always been designated as a road with Special Character. The Local Plan policy H15 has been replaced with the emerging Core Strategy policy CS11.1. which stipulates the protection and enhancement of the townscape and landscape. In addition HE16 (replaced with CS11.4) relates to conserving and enhancing areas adjacent to listed buildings.

The Staunton Avenue and Sinah Lane area is described in section 1c of The Borough Design Guide SPD and supplements Policy CS16 of the Havant Borough Core Strategy and aims to raise the standard of design across the borough. It sets out the council's design expectations with regard to new development and helps to identify and define the distinctive character and qualities of the borough that should be respectfully improved and enhanced.

A distinctive feature of the location is the green landscape. This is mentioned on numerous occasions in the Design Guide SPD. The proposed removal of the Cypress trees to the north of the application site will damage the character and quality of the location.

Another feature of the area is the large, private, well screened, detached plots. The proposals include the creation of large first floor balconies. These, coupled with the

removal of the trees, can only be assumed is an attempt to create an aspect over No.40 to the sea. By doing so seclusion and privacy will be adversely affected, hence damaging the character of the area and contrary to the policies stated.

The scale and massing of the proposed extended building is obtrusive and will result in it being built within approximately 1m of my East boundary which will harm the general amenity space and create overshadowing of 42 Sinah Lane.

The proposed large balcony along the rear of the property is a major concern (there are no existing first floor balconies)) as it will result in wide overlooking into the rear of the garden of number 42 and void any privacy which we have enjoyed for the last 26 years.

The upper stories with installation of new windows will result in overlooking of our home and into existing windows on our East Boundary and the front extension will also result in overlooking of the front garden.

The proposed Plant Room is also situated on our east boundary, which will result in constant noise and disturbance. This could have been placed in a more suitable position nearer to the swimming pool, steam room, sauna and hot tub facilities that are situated on the opposite side of the plot of 40a.

The destruction of mature trees on the boundary edge adjacent to our property will adversely impact privacy. It is already possible to hear some noise coming from the property and with the proposed erection of balconies and roof terraces directly looking into our property and a swimming pool, the noise will not be diminished. The trees are there to absorb this and to provide protection. We have TPO's on exactly the same type of trees in exactly the same condition. If there are no TPO's on the trees on the Applicant's property for the same type of tree, we insist the Council puts TPO's on these. This is based upon our experience with the Council during renovation work on our property. the Council placed TPO's on several similar types of trees after the Application was submitted, so consistency in Council policy is essential. In addition there is the issue of the roots of various protected trees on our property. In construction of the proposed extensions, we are keen that there is no damage to either the trees or their roots which overlap the property boundaries.

Further, we object to the creation of roof terraces on top of the extensions proposed and rear balconies as they will overlook our property and significantly impact our privacy and protection from noise. There can be no good reason for a roof terrace or balcony save for improvement of their aspect to the detriment of our privacy.

Therefore we agree with many aspects of the Application but object to the removal of trees that border our property and to the construction of roof terraces and balconies. We also assume that there will be significant restrictions on the builders, with strict times of work, noise, access to properties on the Lane being unimpeded etc.

Comment:

These matters are considered under section 7.

7

Planning Considerations

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 site, the character of the area and the adjacent listed buildings
- (iii) Impact upon residential amenity
- (iv) Trees and planting
- (v) Adequacy of the site to accommodate the development

(i) Principle of development

The site falls within the defined urban area of the adopted Havant Borough Local Plan (Core Strategy) 2011, where Policy CS17 of the Core Strategy and AL2 of the Allocations Plan apply. In such areas the principle of further development is acceptable, subject to all other policies and the detailed considerations.

(ii) Impact upon the site, the character of the area and the adjacent listed buildings

Since No 42 and 44 Sinah Lane are both Listed Buildings then Policy CS11 of the Core Strategy and DM20 of the Allocations Plan are applicable, in that the setting of the Listed Buildings should not be harmed and where appropriate should be enhanced. The application has been amended to set the extension off the western boundary and hence improve the relationship with the listed building at No 42 to the west. Whilst this only partly accords with the recommendation from the Conservation Officer, he now advises that this would diminish the direct impact of the proposals to a position where it would be difficult to sustain an objection on setting grounds.

Currently the building sits fairly centrally within its plot and is set off the boundaries. As now proposed it would extend close to both side boundaries and the proposal significantly increases the footprint and reduces the space around the building. However, much of the new footprint is single storey (albeit with a high eaves height), and given the set back of the property from the road, and that to the east is an access drive, combined with the amended plans providing for greater separation with the property to the west, the plans as now submitted are considered to achieve an acceptable visual spacing and not to adversely impact the street scene and the character of the area.

In respect to the proposed front boundary treatment, high walls and enclosed gates are a feature of the area and this work will not be out of character.

(iii) Impact upon residential amenity

The main impacts relate to 42 Sinah Lane, which lies to the west and to 40 Sinah Lane which lies to the rear. In respect to the impact on No 42, the proposed extension near this boundary has been reduced in width to provide greater separation, and it is considered that an acceptable relationship is now achieved in terms of impact on light. Additionally the plans have been amended to provide screening to the roof terrace on the western boundary, and the western elevation of the first floor balcony would be constructed of glazed blocks. As the balcony would run the width of the dwelling, there will be views across the neighbouring property to the west. However, the main aspect would be down the application site, and the impact on privacy is considered acceptable and to accord with Policy CS16e. This side extension incorporates a plant room for the indoor pool, and plant such as pumps, filters, humidity regulators and heating could be noisy and operate in the night. As such there is potential for loss of amenity if adequate insulation is not provided and maintained and/or equipment is not appropriately installed. The Environmental Officer has been consulted and requires a

condition in respect to insulation of the plant room and details of plant to address this matter.

In respect to 40 Sinah Lane, this property lies to the rear and the main impacts relate to the proximity of the proposed pool housing, the first floor balcony and roof terrace. The extension for the pool would be single storey albeit with a high eaves height. The dwelling at No 40 is set back from this boundary and the proposed pool housing extension is not considered to result in unacceptable loss of light. In respect to the impact on privacy from the balcony and the terrace, the balcony would be in excess of 15m from the rear boundary and the roof terrace in the region of 18m. Roof terraces are a feature of the area, both Nos 40 and 42 have roof terraces. Given the separation to the boundary, and that there would be in excess of 30m between the existing terrace to No 40 and the proposed balcony and terrace, there is insufficient detriment to support a refusal on this ground.

(iv) Trees and planting

There are a number of on site and off site trees. The site has been visited by the Arboriculturalist who has advised that the trees to be lost do not satisfy the criteria for protection by a Tree Preservation Order. He has advised that a Landscape Mitigation Plan should be conditioned to provide replacement planting to accord with the requirements of Policy CS11. In respect to tree on the neighbouring land, it is the responsibility of the developer to ensure that the works do not result in damage and an informative in this respect is proposed.

(v) Adequacy of the site to accommodate the development

Whilst the plot in comparison with those to the west is relatively small it is of a comparable width to the adjacent properties and to those on the opposite side of the road. The proposed extensions, and in particular the housing for the pool will significantly increase the plot coverage. However, a large front garden/amenity area would be retained and a rear garden measuring in the order of 18m by 15m. As such the retained garden area is considered of sufficient size to serve the proposed 4 bed dwelling.

8 Conclusion

The application is considered acceptable and approval is recommended.

9 **RECOMMENDATION:**

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/15/00299, subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted.
Reason: To comply with 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:

Location and block plan PG NO 013 draft 3a

Existing ground floor plan PG NO 01
 Existing first floor plan PG NO 15
 Existing roof plan ref PG NO 07
 Existing elevations PG NO 10 Draft 3a
 proposed ground floor plans PG NO 02, and 03 Draft 4a and PG NO 04 draft 2a
 Proposed first floor plans PG NO 06 Draft 4a
 Proposed roof plans PG NO 08 and 09 Draft 4a
 Proposed elevations PG NO 11 Draft 4a
 Proposed Entrance details PG NO 012 Draft 3a

Reason: - To ensure provision of a satisfactory development.

- 3 Construction of the building(s) hereby permitted shall not commence until samples and details of all external facing and roofing materials 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 CS11.4, and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 4 No development hereby permitted shall be commenced until a Landscape Mitigation Plan providing mitigation for the trees to be removed, together with a soft landscaping scheme for all open parts of the site not proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. Such Plan and scheme shall specify the proposed finished ground levels in relation to the existing levels, the distribution and species of ground cover to be planted, the positions, species and planting sizes of the trees and shrubs to be planted and/or retained, and timing provisions for completion of the implementation of all such landscaping works.

The implementation of all such approved planting and landscaping shall be completed in full accordance with such approved timing provisions. Any tree or shrub 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 having due regard to policies CS11 and, CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 5 No development hereby permitted shall commence until a specification of the plant and equipment to be installed within the plant room and elsewhere on the site, together with details of the measures to insulate the plant room and noise levels of the said plant and equipment at the boundary shall have been submitted to and approved in writing by the Local Planning Authority. The swimming pool shall not be brought into use until the implementation of all works forming part of such approved details and insulation measures have been completed in full accordance with all detailed components of such scheme. Thereafter the plant and equipment, and insulation measures shall be retained and maintained in good working order.

Reason: To safeguard the amenities of occupiers in those dwellings and having due regard to policy CS16 of the Havant Borough Local Plan (Core

Strategy) 2011 and the National Planning Policy Framework 2012

- 6 The window(s) at or above 1st floor level in the west elevation of the building shall at all times 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: In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.