

Recommendation: **REFUSE PERMISSION**

National Planning Policy Framework

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS14	(Efficient Use of Resources)
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)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

Havant Borough Design Guide SPD 2011

Havant Borough Residential Parking and Cycle Provision SPD 2010

5 Statutory and Non Statutory Consultations

Building Control

Access to the new maisonettes appears not to comply with Fire Brigade access at this stage.

Public foul sewer running directly behind the rear of the properties. Southern Water will require consultation.

Development Engineer - Highways

No comments received

Crime Prevention -Major Apps

No comments to make.

Waste Services Manager

No concerns over waste collection

Southern Water

No development or new tree planting should be located within 3 metres either side of the centreline of the public sewer and all existing infrastructure should be protected during the course of construction works.

It might be possible to divert the public sewer, so long as this would result in no unacceptable loss of hydraulic capacity, and the work was carried out at the developer's expense to the satisfaction of Southern Water under the relevant statutory provisions.

Alternatively, the applicant may wish to amend the site layout, or combine a diversion with amendment of the site layout.

In order to protect drainage apparatus. Southern Water requests that if consent is granted, a condition is attached to the planning permission. For example The developer must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to divert' protect the public sewers, prior to the commencement of the development.

Southern Water requires a formal/ application for any new connection to the public foul sewer to be made by the applicant or developer.

Informative requested.

Hampshire Fire & Rescue

Building Regulations: Access for Firefighting

Access and facilities for Fire Service Appliances and Firefighters should be in accordance with Approved Document B5 of the current Building Regulations.

Hampshire Act 1983 Section 12 – Access for Fire Service

Access to the proposed site should be in accordance with Hampshire Act 1983 Sect, 12 (Access to buildings within the site will be dealt with as part of the building regulations application at a later stage). Access roads to the site should be in accordance with Approved Document B5 of the current Building Regulations.

Other advisory recommendations provided.

Hampshire Biodiversity Information Centre:

Site within 50m of protected and notable species - Upright Chickweed, Suffocated Clover, Autumn Lady's-tresses.

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: 39

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 11 (14 names)

Summary:

Height out of character

Cumulative effect of buildings on amenity, loss of outlook and light

Overlooking

Loss of Privacy

Contrary to policy CS16

Request for BRE assessment

Out of character

Precedent

Concern at accuracy of plans of adjacent properties

Forward projection of balconies - making proposed building more dominant from Sea

Front

Out of scale with other buildings

Rear noise and activity impact on neighbours

Insufficient parking and concern at on street parking

Impact on health

Design of adjacent development only allowed two storey at the rear of site

Vehicle maneuvering to garages difficult

Balcony and parking impact on light

Bin provision concerns

Concern of position of proposed tree planting

The structural suitability of the building to take additional floors questioned

Building line closer to road

Oppressive

Maximum roof height at front of building

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 character and appearance of the area
- (iii) Impact upon residential amenity
- (iv) Parking and access
- (v) Developer Contributions

(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 character and appearance of the area

The proposed development would result in significant changes to the existing two storey building with the addition of two additional floors, a redesign of the building with curved roof form and projection further towards the road with the roof and front balconies.

The site is located in a particularly prominent location on Hayling Sea Front. The site is viewed both in short and long distance views from the road and coastal amenity space and car parking. The Sea Front between the fair at Beachlands and Eastoke Corner is primarily residential in character with a combination of dwelling houses and flats predominating. The heights of these buildings are 2 or 2 1/2 storey with the occasional three storey building. The buildings are mixed in design but many incorporate traditional pitched roofs or flat roof designs. The properties either side of the site on the Sea Front are three storey or incorporate three storey elements.

The proposed development would result in a building that is taller than others in this part of the Sea Front in an area characterised by buildings of modest height. The prominence of the building would be increased by its existing siting forward of 132a-c to the west of the site and by the proposed forward projecting roof form and front balconies. The design of the roof itself is also prominent and out of character with the existing roof forms in the locality. The proposed development would be out of keeping

with the scale and form of existing development in this very public location and is considered to harm the character and appearance of the area.

(iii) Impact upon residential amenity

With regard to residential amenity, there are two elements to consider, the first relates to the impact on adjoining properties and the second the amenities of the residents of the flats.

Impact on surrounding residents

Concerns have been raised by a number of residents in relation to the impact on them from the development as set out above. The main impacts are considered to be to 132c Sea Front, Dilkusha Court and to properties in The Sanderlings (in particular 3, 4 and 5).

132 Sea Front

This property incorporates garages at ground floor level with a balcony at first floor level and first and second floor windows set back from the balcony position. It is considered that the additional height of the building and roof form, together with the balconies which result in additional overlooking to the windows and balcony of 132c would result in an unneighbourly relationship. Whilst there would be some additional light impact to the front in the morning, given the southern aspect to the front of 132c this is not in itself considered to be unacceptable.

There would be additional impacts on light to the rear of 132a-c in the morning from the introduction of a four storey structure and this would have a further negative impact on residential amenity within the rear garden areas.

Any additional impact from vehicle movements and activity are not considered themselves to be unacceptable.

Dilkusha Court

Dilkusha Court is an age restricted occupancy flatted development to the east of the site. The closest part of the development is set beyond the access to the rear of the application site and Dilkusha Court rear access way. The distance between the properties is approximately 8.5m. There are several windows in the closest part of the Dilkusha Court development facing the site but these are not considered to be unacceptably impacted by the development given the nature of the windows and the rooms that they appear to serve.

The Sanderlings

The properties closest to the application site in The Sanderlings (No's 3, 4 and 5) are two storey Houses. No5 is set at a slight angle to the application site set off by a distance of approx. 23m, No. 4 is set 25m off (excluding rear conservatory) and No. 2, 32m off. The Havant Borough Design guide provides guidance in relation to separation distances between properties requiring 28m between 2 and 4 storey buildings. This is not achieved for all the properties and the proposal would appear overbearing when viewed from The Sanderlings. The proposal introduces additional windows facing The Sanderlings at second and third storey level and this results in an unacceptable loss of privacy and overlooking.

In applying the light test within the Councils Design Guidance to these properties it is not considered that any impact on light would in itself be sufficient to warrant a refusal of permission.

Overall, it is considered that the proposed development would have an unacceptable impact on the amenities of adjoining residents as a result of overbearing impact, overlooking, loss of privacy and to a degree impact on light.

Amenities of the development

It is considered that the proposals would be acceptable in terms of floorspace and communal external facilities subject to suitable planning conditions.

(iv) Parking and access

In relation to parking the proposal would result in a total of 4 x 2 bed and 2 x 3 bed units. The site layout shows allocated car parking and there would be a requirement for 2 spaces for each unit under the council's parking standards (12 spaces). This level of car parking is achieved in the current scheme. Cycle parking requirements can also be achieved.

The access to the site is considered acceptable to accommodate the additional use proposed.

(v) Developer Contributions

With regard to developer contributions the development would be liable for CIL contributions.

The proposal would also lead to the need to address recreational pressure on the Solent Protection Area of Chichester and Langstone Harbour. This requirement results in a need for a financial contribution, this has not been pursued with the applicant due to the recommendation to refuse planning permission.

8 Conclusion

In conclusion, the proposed development is considered to be unacceptable as it is out of keeping with existing development in this prominent location due to its height and design which would detract from the character and appearance of the area. Furthermore the development would be unneighbourly and without a financial contribution would result in unacceptable recreational pressure on the Solent Protection Area. The application is therefore recommended for refusal.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **REFUSE PERMISSION** for application APP/15/01222

(A) for the following reasons

- 1 The development would result in the introduction of a four storey building in an area characterised by lower dwellings. The proposed development would by reason of its height, mass, bulk, design and prominent siting in this sea front location have an unacceptable and intrusive impact on the Sea Front and be harmful to the existing character and visual amenities of the area. The development would therefore conflict with policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Havant Borough Council Borough Design Guide SPD 2011 and the National Planning Policy Framework.
- 2 The proposal by reason of its height, mass, bulk, design and siting would result in an overbearing impact in relation to 132c Sea Front, and properties in The Sanderlings. In addition the proposed balcony (impacting 132c) and windows would result in unacceptable over looking and loss of privacy to neighbouring residents. Finally the development would result in an unacceptable loss of light to the amenity space to the rear of 132c. The proposal therefore conflicts with policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Havant Borough Council Borough Design Guide SPD 2011 and the National Planning Policy Framework.
- 3 The proposal, without completion of the appropriate binding arrangements to secure a contribution towards the Solent Recreation Mitigation Project, is contrary to the Council's Policy on contributions towards measures of mitigation adopted by the Local Planning Authority. These seek to ensure that the provision is made from new development towards mitigating against increasing recreational pressure on the Solent SPA. The development is therefore contrary to policies CS11 and CS21 of the Havant Borough Local Plan (Core Strategy) 2011 and Policy DM24 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework 2012.