

384a, Sea Front
Hayling Island
Hampshire
PO11 0BD

Dear Sir / Madam

Planning Application: 380, Sea Front, Hayling Island; your ref APP/17/00529

This application represents an opportunity to enhance and improve the Godby House site; however if not done sympathetically and with due consideration for residents in the neighbourhood it could have a significant detrimental affect on this part of Hayling for residents (particularly the immediate residents surrounding the site on the North, East and West side), and visitors alike. With that in mind, and in the light of the fact that the proposal will be of a significant scale and over 4 storeys, I would say at the outset that the suggestion this should be dealt with by DELEGATED powers is thoroughly inappropriate. It is clear that at the pre application stage from the proposals submitted that there has been significant engagement by Pegasus acting on behalf of the developers and representative(s) from HBC, and whilst that is perfectly understandable, it does, I would suggest, requires the objectivity of a the full planning committee to come to a determination.

I also note the planning inspectors comments in his findings in relation to a planning appeal nearby at Channel House concerning the potential precedent that approval for a fourth storey might set; he dismissed that on the basis that each application should be considered on its own merits. The application submitted now by Pegasus however draws explicitly on that precedent, and freely concedes this; this application in line with the planning inspectors comments referred to should therefore be considered on its own merits and not with regard to the Channel House development.

At the outset, this is not an objection to any development; simply to the proposal for a 4 storey development given its overbearing impact on neighbours and the street scene, as this proposal is significantly higher than neighboring 2 and 2.5 storey houses, and higher than the nearby recent 4 storey development at Channel House. Given this proposal is significantly larger generally, the 4th storey it is contended hear makes it overbearing.

I would now like to move on to specific rather than general comments in explanation.

Due to the increased height, scale and proximity of the penthouse flat(s) proposed in particular (the 4th storey), making this a four storey development (and presumably lift shaft on top) this will result in the creation of an oppressive and over bearing development both in terms of height by being above the ridge height of the existing building and neighbouring buildings; and footprint being significantly larger than the footprint of the existing building.

Due to the increased height, scale and bulk, this will result in a loss of daylight and sunlight for neighbours – especially during the winter months when the sun is low in the sky,

Due to the proximity of the proposed development, this will potentially result in a serious invasion of the privacy of 384 Sea Front to the west (13metres), notably less than the 25 metres factored in to other adjoining properties and;

Most significantly, as a four storey building set amongst low rise detached houses, it will be out of keeping with the prevailing pattern and character of development within the area, that is low rise houses from 384 to the west of the proposed development, , and the three properties east of the proposed development up to St Georges Road.

The proposed outside patio to the north west aspect of the 4th storey apartment in particular impacts significantly on the privacy of surrounding properties; the proposal seeks to minimize the impact on 384 Sea Front, but makes no significant effort to consider the impact on properties to the North and West.

Each of the issues referred to above will be considered in more detail. However, it is firstly important to provide a summary of planning history relating to the development at 386 Sea Front which might be helpful in highlighting a number of relevant issues as they might apply to any future Godby House development..

Background

Planning permission was granted by the Local Planning Authority (LPA) for the construction of three houses to the rear of 384 and 386 Sea Front 19th December 1996. This decision followed the dismissal of a planning appeal, two days earlier, which sought permission for the construction of two, linked, four storey blocks of flats across the frontage of 384 and 386 Sea Front.

The permitted houses, now known as 384A, 384B and 384C Sea Front, were built in the late 1990s in a backland position to the rear of the two traditional, pitch roofed two storey dwellinghouses.

In 2004 the LPA refused a grant of planning permission for the replacement of 386 Sea Front with a very large three storey high block of flats comprising ten 2 and 3 bedroom flats. The LPA was of the view that the proposal would have resulted in a significant intensification of the use of the land that would have had a detrimental impact upon the residential amenities of nearby residents. The Council also considered the proposal would have resulted in the provision of a large expanse of hard standing in the forecourt area at the front of the flats which would have been out of keeping with the character of the area.

In 2005 planning permission was again refused by the LPA for the replacement of the two storey house at 386 Sea Front with a three storey block of 8 flats. The subsequent planning appeal was allowed on 17th November 2005.

96/60829/000

Outline application for demolition of existing dwellings and construction of 24 flats in two linked blocks with associated parking and access on to Seafront - Refused 7th March 1996

An appeal was lodged against this decision and subsequently dismissed by the Planning Inspectorate (PINS Ref: T/APP/X1735/A/96/265960/P7) on 17th December 1996.

96/60829/001

Erection of three dwellings to rear of 384 & 386 Sea Front and new private drive to serve the three new houses and 386 Sea Front – Permitted 19th December 1996.

04/62480/002

Demolition of existing house and construction of three storey building containing 10 flats (2 and 3 bedroom) with associated car parking and altered vehicular access – Refused 7th February 2005

Reasons – Undesirable over intensive use of the site that would not provide satisfactory living conditions for the occupants and would have an adverse effect on the amenities of occupiers of adjoining properties; over intensive use of the site - considerable part of the forecourt being covered in hard-standing which is out of keeping with the character of the area - insufficient amenity space on the site for occupiers of the proposed development; The use of the proposed access would be likely to cause undue interference with the safety and convenience of users of the adjoining highway.

05/62480/003

Demolition of existing dwellinghouse and construction of a 3 storey building consisting of 8No. flats (6No. 2 bed and 2No 3 bed) with associated car parking utilising the existing but altered access to Sea Front - Refused 16th August 2005; Appeal Allowed 17th November 2005

APP/X1735/A/12/2183121

Provision of Fourth Floor to Existing Block of Flats to Provide Additional Penthouse; rejected by the Planning Committee of Havant Borough Council. Appeal allowed by the planning inspector ; building works commenced October 2015.

Loss of Light Outlook and Overbearing Impact

The four storey block proposed at Godby House is a relatively massive structure when compared to the pre-existing traditional house. The block is wider, the elevations are higher and the structure is closer to adjacent traditional homes. It is quite clear that the principal western elevation of the proposed building is much further west than that of the original dwelling.



It is argued that the proposed building of an additional fourth floor penthouse extension would have an unacceptable overbearing impact upon their residential amenities when compared with the current building and footprint as illustrated in the photograph above. . Additionally, the proposed extension, if built, would represent an entirely unwarranted harmful addition, that would cause significant and substantial harm to the outlook of neighbouring properties, which is simply avoided by limiting any development to the ridge height of the current and neighbouring properties.

Furthermore, the proposed increased height of the proposed building would result in a loss of sunlight and daylight to their properties. This adverse impact would be experienced during the winter months, in particular, when the sun is lower in the sky. In particular, the proposed penthouse extension would have an adverse impact upon the amenities of the occupiers of neighbouring properties and the overall visual amenity and street scene of the area especially when viewed from the South (the beach and gorseland area).

Invasion of Privacy

There is an issue that neighbouring properties would be directly overlooked by the proposed development, which would need to be mitigated. This is particularly so with respect to the 4th storey to which my objections in principle have been set out earlier; but also with respect to the proposed patio to the North West of the 4th storey apartment, which clearly overlooks neighbouring properties. The arguments in the proposal to mitigate this simply cannot do so.. the fact is that this is a 4th storey patio which overlooks neighbouring 2 and 2.5 storey properties to the North and West.

Streetscene & Character

Perhaps the final and most significant final concern is that the proposed development would be out of keeping with the character and appearance of existing development within this part of the Sea Front, particularly located as it would be amongst a line of low rise detached houses. With the 4th storey this proposed development is higher even than the nearby channel House development; coupled with the width of the development as viewed from the South (the road side), the impact on the streetscene is significantly detrimental; the scale is so large that even the fact the development is set back from the road cannot mitigate its impact. It is my view that the proposed fourth penthouse flat would represent a visually prominent and incongruous feature within the Sea Front streetscene, and would in height be significantly higher and incongruous with the detached houses located either side.

Most Important Planning History

When allowing the appeal (PINS Ref: T/APP/X1735/A/05/1186566) in relation to 386 Sea Front in 2005 the Planning Inspector carefully assessed the three storey proposal in relation to existing development within the vicinity of the site along Sea Front. At paragraph 3 of her decision letter the Inspector comments that '...buildings are generally two to three storeys high, and set well back from the highway...' At paragraph 4, the Inspector states '...In my judgement, it would not appear any more conspicuous than the existing dwelling with its prominent gable facing the road...' Furthermore, at paragraph 5 the Inspector states '...Overall, the height of the proposed building would be lower than the existing house...'

It is also of note that an earlier proposal to replace the two houses at 384 and 386 Sea Front with two blocks of 4 storey flats was dismissed at appeal (PINS Ref: T/APP/X1735/A/96/265960/P7) in 1996. The appellant's architects state, at para. 4.1 of the Design Statement submitted with the planning application that, in May 2011, they held pre-application discussions with the Council's Planning Officers. They state that it was suggested that there were 'three key areas to be considered: - ...the bulk of the rear elevation; the impact on the streetscene; the overall height.' It is noteworthy, however, that the appellant's architects do not state whether the LPA were supportive of the pre-application proposal. If Planning Officers had stated that they would have supported the pre-application proposal (if formally submitted as a planning application) it is highly likely that the appellant's agents would have referred to this fact in their Design Statement. The fact that the 'outcome' of the pre-application inquiry is not clearly explained in the Design Statement suggests that Officers were of the view that they would have been unable to support the proposal for a fourth floor of development. It is likely that Officers would have expressed significant concern about the impacts of a fourth floor (as a similar scenario had been the subject of a dismissed appeal in 1996) and would not have encouraged the submission of the application. Indeed, when the application was eventually presented to the Council's Development Management Committee Officers recommended that the application should be refused. They were of the view that such a development would be unacceptable on the basis of its likely adverse and harmful affects upon the residential amenities of the occupiers of adjacent dwellings and the Sea Front streetscene. Members of the Committee resolved, unanimously, to refuse the application.

The two Inspectors who determined the two earlier appeals concluded that a three storey high proposal would reflect the scale and character of development along the Sea Front whilst a 4 storey proposal would not. Whilst subsequently on appeal permission was granted for a fourth storey at 386 Sea Front, this decision was premised on the impact on the street scene taking into account the roof height of the flats at St Catherines Court. The Godby House situation is quite different, located next to low rise detached houses on both sides.

Planning Policy

National Planning Policy Framework

The National Planning Policy Framework (March 2012) sets out Central Governments planning policy advice for achieving sustainable development. Paragraph 14 highlights that there is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

Section 6 of the NPPF sets out advice regarding 'Delivering a wide choice of high quality homes'.

Section 7 provides guidance on good design in new developments. Paragraph 56 highlights that the Government 'attaches great importance to the design of the built environment.' The paragraph continues to state that 'Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'.

Paragraph 60 highlights that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. However, paragraph 61 acknowledges that whilst 'visual appearance and the architecture of individual buildings are very important factors... planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment'.

Local Planning Policy

The Havant Borough Core Strategy was formerly adopted on 1st March 2011. It is the principal document in the council's Local Development Framework and sets out the spatial planning strategy for the area up to 2026. Within this document is policy CS 16, High Quality Design, which is considered particularly relevant to this planning application. This is a permissive policy which states *"Planning permission will be granted for development that is designed to a high standard, which helps to create places where people want to live, work and relax...."*

The proposed development at four storeys high would have a devastating impact upon the way in which they currently enjoy their own homes. The proposed development would not *"...create places where people want to live, work and relax...."*. The impact of the proposed development would create a place (with regards to their own properties) where people would not want to live.

Section 1 of this policy states '...All development should demonstrate that its design...(1) Responds to, draws inspiration from and respects local context and: ... (c) 'Uses the characteristics of the locality to help inform the design of the new development including heights, massing, existing buildings lines, plot widths and depths, materials and proportions of windows and doors...'

The introduction of a large scale 4 storey development would not, it is argued, be characteristic of development in the locality which is predominantly two and three storeys in height; and particularly

given its location amongst detached houses on either side. The proposal fails, therefore, to be compliant with 1.(c) of policy CS16.

Furthermore, (1(e)) necessitates that ‘...development does not cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking.’

As has been explained in detail earlier in this letter it is apparent that the proposed development at would, due to its proximity to nearby houses, be visually overbearing and oppressive. Additionally, the proposal would result in a loss of outlook and cause unacceptable harm to the privacy of neighbouring properties. The proposal is, therefore, contrary to 1.(e) of policy CS16.

Conclusions

In conclusion, I would like to reiterate the concerns about these proposals on the following grounds: -

The construction of a four storey development significantly larger than the footprint of the existing site at Godby House would increase the height, mass and bulk of the existing building to such an extent that it would be extremely harmful to the residential amenities of occupants of neighbouring properties. It is higher even than the nearby channel If built the proposed development would have an oppressive and over bearing impact upon living environment of the occupiers of the aforementioned properties. The construction of a four storey development would increase the height, mass and bulk of the existing building to such an extent that it would result in a loss of daylight and sunlight currently enjoyed by neighbouring properties – especially during the winter months when the sun is low in the sky. It is notably higher than the nearby 4 storey development at Channel house; and significantly larger in width when viewed from the street, having a disproportionate impact when set amongst 2 and 2.5 storey houses, as it will be if this proposal is approved.

The proposed development could result in a serious invasion of the privacy of nearby properties, particularly with respect to the 4th storey. A 3 storey development would be less of an issue, but that is not presented as an option.

The proposed development would result in the creation of a 4 storey building, higher than the existing property and its neighbours.. This scale of development was considered to be unacceptable by the Planning Inspector who dealt with the planning appeal in relation to 386 Sea Front in 1996. Furthermore, the Planning Inspector who determined the more recent appeal in 2005 was of the view that ‘...buildings are generally two to three storeys high...’ within the vicinity of the site. Notwithstanding the successful appeal for a fourth storey at nearby 386, Sea Front, it is clear that those circumstances were different in some key respects to the proposed Godby House development given the property is set in a line of detached residential houses. The Penthouse would take the height of the development significantly above the existing ridge line of not just Godby House but of neighbouring properties to the east and west. As such, it is contended that the proposal would be visually incongruous and unduly prominent when viewed in the context of the existing Sea Front streetscene, and;

the proposal would be out of keeping with the prevailing character of development within the area (for much the same reason, and largely as a consequence of the penthouse on the fourth floor, as proposed), and would be contrary to Core strategy policy CS16.

I would be grateful if, in taking this matter forward, you could give consideration to the points raised here. This is a tremendous opportunity to significantly enhance this site whilst at the same time delivering the County Council objective of maximizing its return; but I would sincerely hope this could be done with respect and consideration for the potential adverse impact on other residents/constituents. It should certainly not be dealt with by means of DELEGATED powers

Yours sincerely



Dr. R.K. Golding, PhD, M.A, B.A (Hons), Dip AppCrim (Cantab), FHEA