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Formal Response in Support of Planning Application APP/26/00105

Response to Representation File Dated 23 April 2026

I write in full support of this application. The objection submitted on 23/04/2026 contains numerous inaccuracies, omissions, and selective interpretations of the planning history of Bembridge Drive. My responses follow the objector's own page references for clarity.

Page 1–3 – Historic Matters

These pages relate to historic issues with no relevance to the current proposal. They do not alter the planning merits of this application and require no further comment.

Page 4 – 45° Rule, Overlooking, Loss of Light, Materials

I J Murray Associates have clearly designed this scheme to comply with **all Havant Borough Council standards**, including:

- **No 45° infringement**
- **No overlooking**
- **No loss of light**
- **Materials matching the newly built three-storey No. 4**

The design is entirely policy-compliant and consistent with the established character of the street.

Page 5 – Height, Previous Approval, Roof Garden, Comparative Scale

Havant Borough Council **already approved the design in November 2023 (APP/23/00518)**. The only change is the addition of one extra storey.

Key facts:

- The existing roof garden at No. 2 has an **artificial tiled roof** with **5 ft to the ridge internally**, meaning only **3 ft** is required to form a new floor.
- Planning is determined by **overall height**, not the number of internal levels.
- **No. 4 already towers above No. 2** by several metres.
- No. 6's roofline sits **well below** the base of No. 4's roof.
- Any historic loss of light or overlooking originates from **No. 4**, not No. 2.

The objector's argument on height is therefore inconsistent with the built reality.

Page 6 – Missing No. 6, Balcony, Screening, Forward Projection

The objector's drawings omit No. 6 entirely, which is misleading.

Further points:

- No. 4's rear balcony projects **several metres** and directly overlooks both neighbours.
- No. 4 uses **1.8 m obscure glass screening**, which was accepted by the Council.
- The same standard applies to No. 2, which also proposes **1.8 m obscure glass**.
- No. 4 sits **2–3 metres further forward to the south**, giving it a dominant view over both No. 2 and No. 6.

If privacy was acceptable for No. 4, it must be acceptable for No. 2.

Page 7 – Overlooking, Natural Light, Overbearing

There is:

- **No loss of natural light**
- **No overlooking**
- **No overbearing impact on No. 4**

Both balconies (No. 2 and No. 4) align with each other, with the new approved plans. If the objector claims No. 2 would overlook, then **No. 4 already does**, and to a far greater extent.

Regarding overlooking from the balconies, it doesn't matter how many floors the view will be the same.

The new application does not materially change this relationship.

Page 8 – Skylights, Boundary Fences, Loss of Sunlight

Important facts:

- The eight skylights at No. 4 serve rooms that already have **two windows each**.

- No. 6 is **already overlooked** by No. 4, with no historic objection.
- The boundary fences at No. 4 were approved at **1 metre** to preserve sea views for Nos. 2 and 6.
- These fences have since been **increased without permission**, reducing neighbours' views.

No. 2 has had a roof garden in place for over 30 years. This is a long-established and well-known feature of the property. By contrast, No. 4 was only constructed within the last five years. The owners of No. 4 chose to install multiple skylights directly facing an existing roof garden, and it is therefore unreasonable for them to now complain about being overlooked by something that pre-dated their own development by decades.

If privacy was a genuine concern, the appropriate and responsible design choice would have been to install obscure glazing, adjust window placement, or incorporate internal layout solutions. Instead, they opted for clear skylights and are now attempting to shift the consequences of their own design decisions onto a neighbour whose amenity has existed for generations.

In planning terms, you cannot build next to an established feature and then claim harm from it. The onus is on the newer development to mitigate overlooking, not on the long-standing property to erase or downgrade its lawful use.

The objector's selective concern about light and privacy is therefore inconsistent with their own actions.

Page 9 – Accuracy of Drawings

The objector omits the balconies of No. 4 entirely, which distorts the comparison.

By contrast, I J Murray Associates have produced drawings that **accurately reflect the built environment** and comply with **all** Havant Borough Council requirements.

Page 10 – Front Garden Overlooking, Skylights

The claim of “overlooking from the front garden” is irrelevant and not a planning consideration.

If No. 4 had concerns about its west-facing skylights, it could have installed obscure glazing. The roof garden of No. 2 and the skylights of No. 4 mutually overlook each other; this is an existing condition created by **No. 4's design**, not this application.

Page 11 – Overlooking by No. 4

No. 4 overlooks **both neighbouring properties** with no mitigation and no historic consideration for privacy.

This is the dominant source of overlooking in the street.

Page 12 – Comparisons with Nos. 18 and 22

- No. 18 has **four floors**, including a top-floor window.
- No. 22's upper structure is **not** a stairwell pod; it is a usable room with furniture, as visible on Rightmove.
- The overall height of these buildings is **comparable** to the proposed height at No. 2.

The new design at No. 2 is entirely in keeping with the established pattern of development.

Page 13 – Dominance of No. 4

Photographs clearly show:

- No. 4 **towers above both neighbours**
- No. 4 was approved despite its height, massing, and overlooking
- No concerns were raised about No. 6's loss of light or privacy at the time

The objector's position is therefore inconsistent with previous planning outcomes.

Page 14 – Height Comparison with Flats

The images show No. 4 appearing **even taller than the flats behind it**.

The proposed increase at No. 2 will not materially alter the street scene when compared to the existing dominance of No. 4.

Conclusion

This application is:

- **Policy compliant**
- **Respectful of neighbours**
- **Consistent with previous approvals**
- **Architecturally appropriate for Bembridge Drive**
- **Far less dominant than the existing No. 4**

The design of the house has already been approved by Havant Borough Council Planning Committee meeting voted 5 to 1 in favour, and the proposed materials have likewise been fully considered and accepted as part of that approval.

The objection relies on selective information, inaccurate drawings, and inconsistent arguments that do not reflect the built environment or planning history.

I fully support this application and respectfully request that Havant Borough Council approve it.