DELEGATED OFFICER REPORT

PROPOSAL:	Addition of new second and third floors with balconies to first and second and third floors, four storey front extension, new double garage and general remodelling
LOCATION:	2 Bembridge Drive, Hayling Island, PO11 9LU
REFERENCE NO:	APP/26/00105
APPLICANT:	Mr Ryan Ferguson
APPLICATION TYPE:	Householder planning permission
CASE OFFICER:	Lesley Wells
APPLICATION EXPIRY DATE:	10/04/2026
WARD:	Hayling East
SUMMARY RECOMMENDATION:	Refuse

1. Site Description

1.1 This application site is a two storey detached dwellinghouse located on the south side of Bembridge Drive, Hayling Island. The property has a flat roof with white render, tile hanging and horizontal cladding to the elevations. There are windows to the front and rear with a Juliet balcony to the front elevation. The property is sited close to the Eastoke Corner area where there is a run of shops and cafes directly north of the site and Hayling sea front directly to the south of the site.

1.2 The site falls within Flood Zones 2 and 3 and is at risk from climate change.

2. Planning History

APP/23/00518 - Creation of new second floor, balconies to first and second floors, three storey front extension, first and second floor rear extensions and erection of new double garage. Granted 27/11/23

APP/22/00965 - Addition of new second floor with balconies to first and second floor, three storey front extension, new double garage and general remodelling. Granted 6/12/22

APP/22/00084 - Prior Approval for the enlargement of a dwellinghouse consisting of the construction of up to two additional storeys, immediately above the topmost storey of the dwellinghouse, with a maximum height of 12.1 metres, together with any engineering operations reasonably necessary for the purpose of that construction. Prior Approval Required & Refused 6/4/22

3. Proposal

3.1 Addition of new second and third floors with balconies to first and second and third floors, four storey front extension, new double garage and general remodelling.

4. Policy Considerations

In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the Planning Considerations section of the report.

Havant Borough Local Plan (Core Strategy) March 2011
CS16 High Quality Design
CS15 (Flood and Coastal Erosion)
CS16 (High Quality Design)
CS17 (Concentration and Distribution of Development within the Urban Areas)
DM13 (Car and Cycle Parking on Residential Development)

Havant Borough Local Plan (Allocations) July 2014
AL1 Presumption in Favour of Sustainable Development

Emsworth Neighbourhood Plan Post Examination Version 2020
N/A

Chichester Harbour Management Plan (2025-2030)
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 20
Chichester Harbour Area of Outstanding Natural Beauty Joint Supplementary Planning Document, July 2017

Listed Building Grade: Not applicable
Conservation Area: Not applicable

5. Statutory and Non Statutory Consultations

Property Team – No Comment Received

Planning Policy – No Comment Received

Councillor Rennie – No Comment Received

Councillor Shepherd – No Comment Received

Councillor Coates – Called application to Committee on the following grounds:

Quite aside from the material considerations raised in objections and noted by officers, the site in question is a sensitive one, practically defining the Eastoke Corner hub in terms of aesthetics; I am also aware of the interest in this site from neighbouring properties, and the historic interest in it, having been on planning for previous applications.

As such, I would say that it is a high profile site relatively speaking, and it is in the public interest to see it go through the democratic scrutiny offered by Planning Committee.

Officer Comment: *Cllr Coates has advised that if the application is to be refused by officers, he would rescind the call in for the application to be determined by the Planning Committee.*

6. Publicity and Community Involvement

This application was publicised in accordance with the Council's Local Code of Corporate Governance and the Statement of Community Involvement.

Number of neighbour notification letters sent: 13

Number of site notices: 2

Publicity Type	Publicity Details	Start Date	End Date	Reasons
Site Notice	Notice displayed to front and side of site.	28/5/26	11/6/26	Is advertised in the public interest

Number of representations received:

Objections: 46

Support: 57

Neutral: 10

The following is a summary of the representations received objecting or supporting the proposal.

Objectors, in summary:

- *Scale, height and massing:* the proposed four-storey dwelling is considered overly large, bulky, dominant and overbearing in this prominent seafront corner location, amounting to overdevelopment of the plot.
- *Character and appearance:* the design is considered out of keeping with the prevailing scale and character of Bembridge Drive and the wider Warren Sands Estate, appearing visually intrusive and more akin to a block of flats than a single dwelling.
- *Neighbouring amenity:* concerns are raised regarding loss of light, overshadowing, overlooking and an overbearing impact on nearby properties, particularly from upper floors and balconies.
- *Parking, access and highway impact:* objections refer to insufficient on-site parking, potential overspill onto private estate roads, congestion near the estate entrance, and difficulties for emergency and service vehicles, including during construction.
- *Potential intensified use:* some objectors question whether the scale and layout could facilitate intensified or non-single-dwelling use, including holiday lets, with associated activity levels.
- *Flooding and drainage:* concerns are raised that existing flooding and drainage issues in the area may be exacerbated.
- *Planning history:* reference is made to the previous refusal under APP/22/00084, with objectors maintaining that similar concerns regarding scale, prominence and visual impact remain unresolved.

Supporters in summary:

- *Design and appearance:* Consider the proposal to be a high-quality contemporary design that would enhance the appearance of the existing property and make a positive visual contribution to Eastoke Corner and the wider seafront.
    - *Character of the area:* The design, materials and architectural approach are in keeping with the evolving character of Bembridge Drive and nearby modern development and reflect the varied built form in the locality.
    - *Neighbouring amenity:* The siting, stepped form, privacy screening and window treatment would avoid unacceptable overlooking, loss of privacy, overshadowing or overbearing impact to neighbouring properties.
    - *Use of the site and wider benefits***:** The proposal would make efficient use of this prominent site, maintain adequate parking and access for a single dwelling, and contribute positively to wider investment and visual improvement in the area.

Officer Comment**:** *Full details of the representations received are available to view on the Council's website.*

Concerns regarding potential intensification or alternative use, including holiday lets, are noted. However, the application seeks permission for use as a single dwellinghouse (Use Class C3). Any future material change of use would be subject to separate planning control. This is not therefore a material planning consideration in the determination of this application.

Construction noise and disturbance would be temporary in nature and limited to the construction period only. Any works would also be expected to take place in accordance with relevant environmental health controls and reasonable construction practices.

Material planning considerations are addressed in Section 7.

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) Appropriateness of design and impact on the character of the area
(iii) Effect on neighbouring properties
(iv) Parking
(v) Flood Risk
(vi) Biodiversity Net Gain (BNG)
(vii) CIL

(i) Principle of development

7.2 The application site is located within the defined urban area; therefore development is considered acceptable in principle subject to development management criteria.

(ii) Appropriateness of design and impact on the character of the area

7.3 Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 seeks, amongst other matters, to ensure a high standard of design, requiring development to respond positively to local character through appropriate scale, massing, height and appearance.

7.4 The proposal would result in an almost doubling of the existing building height. Whilst the existing flat-roofed property is not considered to be of particularly high design quality, the addition of two storeys would significantly increase its prominence within this highly visible seafront location on Hayling Island.

7.5 It is acknowledged that the apartments opposite are four storeys in height. However, these form part of a continuous frontage associated with flats above shops and cafés along Rails Lane. In contrast, development along Bembridge Drive is predominantly two storeys in height, with taller buildings limited and less prominently positioned.

7.6 In terms of design, the proposal is reflective of development granted under references APP/22/00965 and APP/23/00518. However, by reason of its overall height, bulk and massing, it is materially different in scale and would appear unduly dominant and visually intrusive within the street scene and would fail to respect the character and appearance of the surrounding area.

7.7 The proposed four-storey dwelling would be a visually dominant feature within this context, particularly given the area's role as an important focus for tourism. It would not appear subservient to the host dwelling and would instead introduce an overbearing and unsuitable form of development.

7.8 In respect of the proposed flat-roofed double garage to the front of the site, this is similar to that granted under references APP/22/00965 and APP/23/00518 and is therefore considered acceptable.

7.9 As such, notwithstanding the acceptability of the proposed front garage, the additional storeys, by virtue of their height, scale and massing, would result in a harmful and visually dominant form of development that would fail to respond positively to the character of the host dwelling and surrounding area. The proposal would therefore be out of keeping with the prevailing character and appearance of the locality, contrary to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011.

(iii) Effect on neighbouring properties

7.10 Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 seeks, amongst other matters, to safeguard the amenities of neighbouring occupiers, including in respect of outlook, privacy and access to light.

7.11 Immediately to the east of the application site lies No. 4 Bembridge Drive. This property has been redeveloped in recent years and comprises a three-storey dwelling with a pitched roof, incorporating several rooflights within the western roof slope adjacent to the application site. The proposed development, by reason of the additional two storeys, would increase the overall height by approximately 5 metres. Given the very close proximity between the two dwellings, at approximately 2 metres separation at its closest point, this would result in a harmful loss of light to these rooflights and to the rooms that they serve.

7.12 Whilst the fourth storey would be stepped back from the eastern and western boundaries, a 1.6m high screen is proposed along the eastern boundary at fourth floor level. The overall height, scale and massing of the development, together with the presence of the screen, would appear dominant and result in a significant loss of light and outlook to No. 4. The development would therefore create an unduly overbearing and oppressive relationship, to the detriment of the residential amenities of the occupiers.

7.13 To the north of the application site is the apartment building, Bembridge House, which is four storeys in height and has outlooks towards the sea. There is approximately 30 metres separation distance between Bembridge House and No. 2 Bembridge Drive. This exceeds the minimum separation distance of 28 metres as recommended in the Havant Borough Design Guide of properties of the same height to reduce overlooking and therefore this is not judged to be an issue between these properties. To the east of this is a three-storey apartment building with Nos. 6-14. A minimum separation distance of 24 metres would be required between these properties and No. 2 which would be met as 4 metres extra is required per difference in storey number. Whilst the outlooks to the sea from the apartments opposite would be diminished as a result of the additional two storeys, this is not a material planning consideration.

7.14 Consequently, it is considered that the proposal would be overbearing and lead to a loss of light and outlook and would have an unacceptable impact in terms of residential amenity on No. 4 Bembridge Drive immediately adjacent to the application site contrary to Policy CS16 of the Havant Borough Local Plan (Core Strategy) and the National Planning Policy Framework.

(iv) Parking

7.15 The proposal includes a new double flat-roofed garage to the front of the site. In addition, the site would retain four external parking spaces. Havant Borough Council's Car Parking SPD requires a minimum of three parking spaces for dwellings with four or more bedrooms. The proposal would therefore exceed the Council's parking standards and is considered to provide an appropriate level of off-street parking.

(v) Flood Risk

7.16 The site lies within Flood Zones 2 and 3 and is therefore at risk of flooding, including the effects of climate change. The proposal results in only a limited increase in built footprint through the provision of a double garage at the front of the site. A Flood Risk Assessment (FRA) has been submitted in support of the application and confirms that floor levels within the proposed development will be set no lower than existing levels and that appropriate flood resilience measures will be incorporated where necessary. Having regard to the scale and nature of the development and the mitigation proposed, the development is not considered to increase flood risk and is therefore considered to accord with Policy CS15 of the Havant Borough Local Plan (Core Strategy) 2011.

(vi) <u>Biodiversity Net Gain (BNG)</u>

7.17 It is noted that this householder application is exempt from the requirements relating to Biodiversity Net Gain.

(vii) <u>CIL</u>

7.18 The gross increase in new internal floor space for the proposal has been calculated as 173 sqm, which would result in a CIL liability of £27,417.41. An exemption has been claimed.

8. <u>Conclusion</u>

8.1 By reason of its excessive height, scale and massing, the proposal would fail to respond positively to the character of the area, resulting in a visually dominant and

incongruous form of development in this prominent seafront location. Furthermore, due to its close proximity to No. 4 Bembridge Drive, the development would result in an unacceptable loss of light and would appear overbearing and oppressive, causing significant harm to the living conditions of neighbouring occupiers.

8.2 The proposal is therefore contrary to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, which requires a high standard of design that reflects local character and safeguards neighbouring amenity and the National Planning Policy Framework.

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9. RECOMMENDATION:

That the Interim Head of Planning be authorised to Refuse Permission for application APP/26/00105

Reasons:

1. The proposed development by virtue of the scale, massing and height of the additional storeys sited in a highly visible location within the public realm would appear harmfully prominent and visually dominant and incongruous within the context of both the host dwelling and the wider character and appearance of the locality. As such, the proposed development is contrary to the requirements of Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

2. The proposed development, by reason of its increased height, scale and massing, would adversely affect the residential amenities of the neighbouring occupiers of No. 4 Bembridge Drive. It would be dominant and overbearing, resulting in an unacceptable loss of daylight and outlook. As such, the proposal is contrary to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.