

# Supplementary Planning Information

HAVANT BOROUGH COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE  
28 April 2016

The following supplementary planning information was unavailable when the agenda for the Development Management Committee to be held on 28 April 2016 was published

<b>Agenda No</b>	<b>Item</b>
------------------	-------------

9(1)	<u>APP/15/01355 - Tamarisk, Ferry Road, Hayling Island, PO11 0DG</u> (Pages 1 - 4)
------	--

Proposal: Demolition of existing dwelling and construction of new dwelling with associated landscaping and improvements to sea-defences.

Additional Documents:

<http://tinyurl.com/zwenxt9>

**This page is intentionally left blank**

Town and Country Planning Act 1990 (as amended)  
Town and Country Planning (Development Management Procedure) (England) Order  
2015  
Re: Proposed replacement dwelling, Tamarisk, Ferry Road, Hayling Island, PO11  
0DG  
LPA Ref: APP/15/01355

HBC Development Management Committee 28<sup>th</sup> April 2016

Mr Chairman,


My statement support those objections which have been received and , in particular, that of Mr. and Mrs. Ray and Margaret Stewart.

1. You will be aware that Section 70 (2) of the Town and Country Planning Act 1990, states:- "In dealing with such an application the authority shall have regard to the provisions of the development plan, so far as material to the application; and to any other material considerations. The effect of amenity is a material consideration which in this case is specifically of material relevance and which in proper planning terms should be accorded due weight. Notwithstanding that the application may be found to accord with relevant local plan policies; at no time during the application process and nowhere in the case report has the material issue of effect on neighbour's amenity been either appropriately or proportionately considered.
2. An application for a proposed first floor extension to a commercial building adjacent to the rear garden of a dwelling in Petersfield was recently rejected in principle by EHDC planners on the relevant material grounds of unacceptable encroachment on the rights of privacy, rights of light and visually intrusive impact. SDNP/15/04830/FUL refers.  
The points I make is that firstly, this example confirms that effects on amenity are admissible material considerations and secondly, that notwithstanding accord with policy, the degree of harm to amenity can outweigh policy considerations. Accepting that premise, the degree of overlooking and loss of privacy that would be imposed on the residential amenity space of The Deck House by the proposed development, would be extreme and unacceptable.
3. At conclusion 8.1 in the case report, the statement that "The design has had regard to the relationship with the adjacent property to the east at The Deck House and an acceptable relationship is achieved", is entirely untrue and misleading advice to the Committee.
4. From more than 55 years in planning, my assessment of the proposal concludes the following defensible reasons for refusal.
  - The proposed building by reason of design, siting, scale, height, bulk, and mass would be overly dominant and inappropriate in the adjoining streetscene and unacceptably overbearing in relation to the adjoining dwelling.

- The proposal significantly fails to respect neighbouring amenities and would result in unrestricted overlooking from the rear floor balcony which would be unacceptably detrimental to the neighbour's rights to privacy , with potential for noise and disturbance from the balcony.

Mr Chairman, I respectfully request that the proposed development be REFUSED for the reasons above.

Thank you.

 Dan McGregor

Dan McGregor

47 Westbourne Avenue  
Emsworth  
Hampshire  
PO10 7QN

t. 01243 370676

e. sandramcg@westbourneave47.fsnet.co.uk

**This page is intentionally left blank**