

Supplementary Information

HAVANT BOROUGH COUNCIL
PLANNING COMMITTEE
THURSDAY, 2ND NOVEMBER, 2023

Please note that the attached supplementary information was unavailable when the agenda was printed.

Agenda No **Item**

5(a) **APP/23/00518 - 2 Bembridge Drive, Hayling Island, PO11 9LU** **1 - 20**

Proposal: 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.

[Additional Documents](#)

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ADDENDUM

PLANNING COMMITTEE
DATE 2nd November 2023

2 Bembridge Drive, Hayling Island

Site View Working Party:

The following additional information was requested to be provided for Planning Committee:

- (a) Projection forward from the existing dwelling to the southern (sea front) side.

The proposed projection to the southern (sea front) sides beyond the existing dwelling are as follows:

Ground Floor + 2.9m

First Floor + 2.9m (extension) + 5.4m (extension + first floor balcony)

New second floor.

Appendix Update

Appendix M amendment:

An amended plan to show the relationship with No.4 Bembridge Drive has been received from the agent. A revised Appendix M – Relationship with No.4 is provided.

Additional Appendix Q:

An additional plan showing the proposed elevations overlain by the previously approved elevations (planning application APP/22/00965) has been provided by the agent. An additional Appendix Q is provided for comparison. The actual approved elevations can be viewed on Appendix O.

7. Planning Considerations

Paragraph 7.5 compares the proposed application with the previous consent APP/22/00965. There is a slight amendment as follows in italics:

- 7.5 It should be noted that there are no new windows proposed to any of the elevations (*there is a slight re-positioning of one of the porthole windows to the east elevation which would be set 1m further to the south*) and, as stated, the rear balconies would feature obscure glazing to the sides. The floor plan and position of the dwelling within the plot would remain generally the same as previously approved, with rooms extended towards the rear at first and second floor levels and to the sides at ground floor levels.

9. Recommendation

Conditions:

The following amendment to Condition 2, change shown in bold:

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

13 July 2023 FLOOD RISK ASSESSMENT

04 Sep 2023 A113.1 AMENDED - PROPOSED ELEVATIONS

A118.3 RELATIONSHIP WITH NO.4

11 July 2023 A112 V9 PROPOSED GROUND, FIRST AND SECOND FLOOR PLANS

11 July 2023 A111 PROPOSED LOCATION AND BLOCK PLANS

11 July 2023 A114 PROPOSED SITE SECTIONS

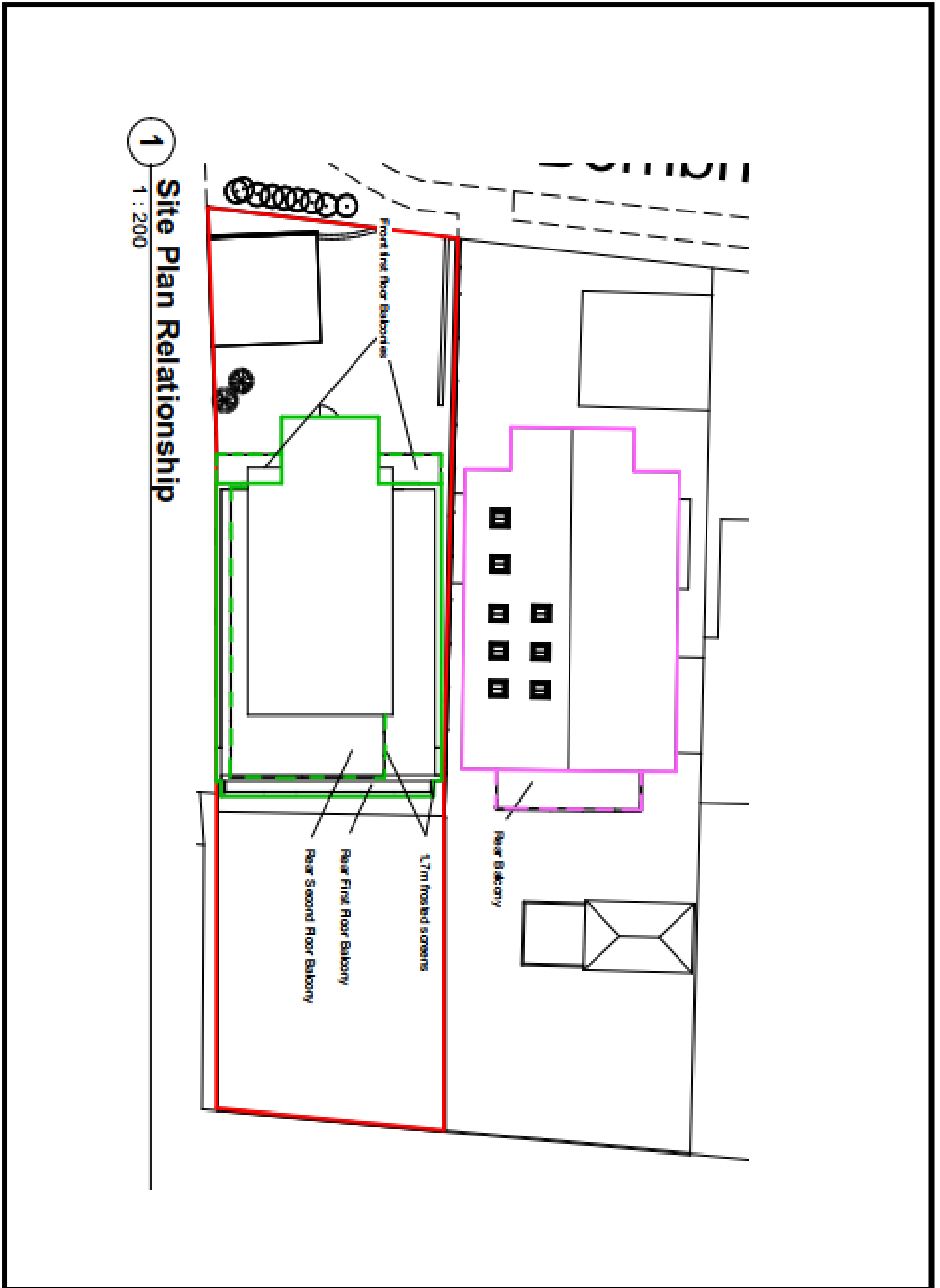
11 July 2023 A116 PROPOSED GARAGE FLOOR PLAN AND ELEVATIONS

MATERIALS SAMPLE UPLOADED ON THE 05.09.2023

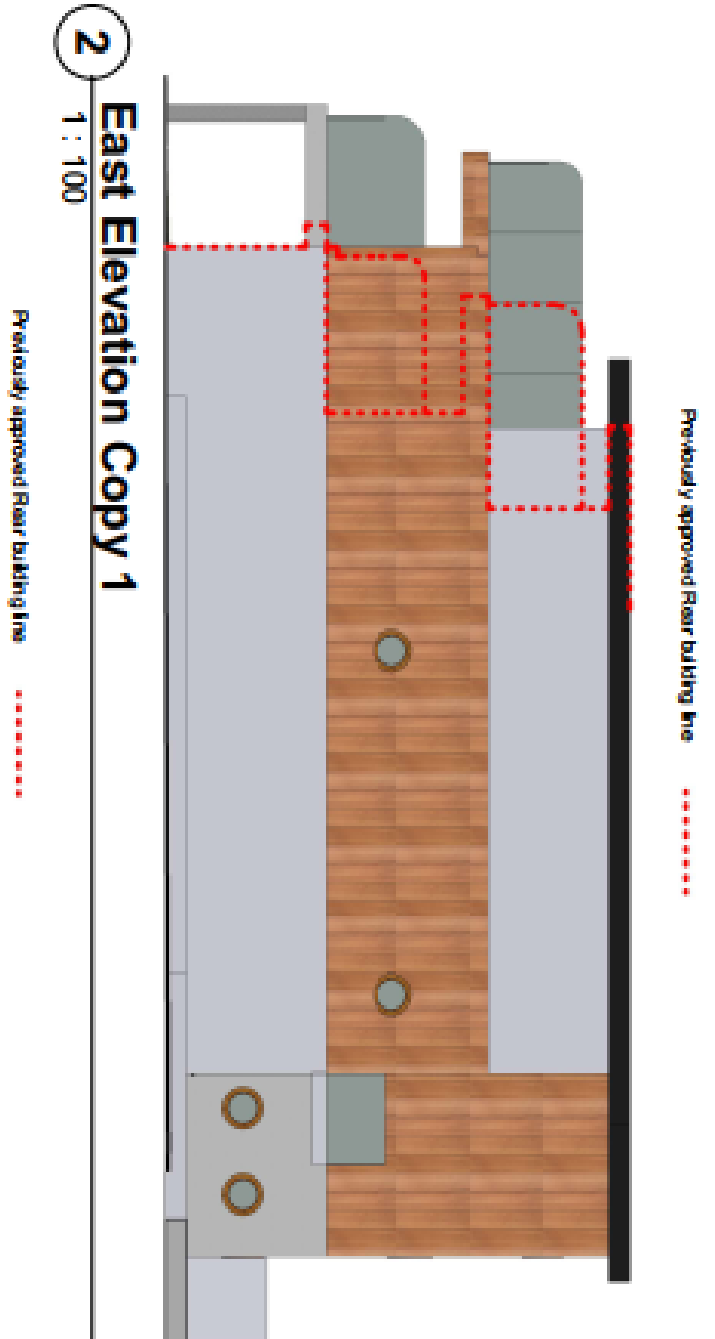
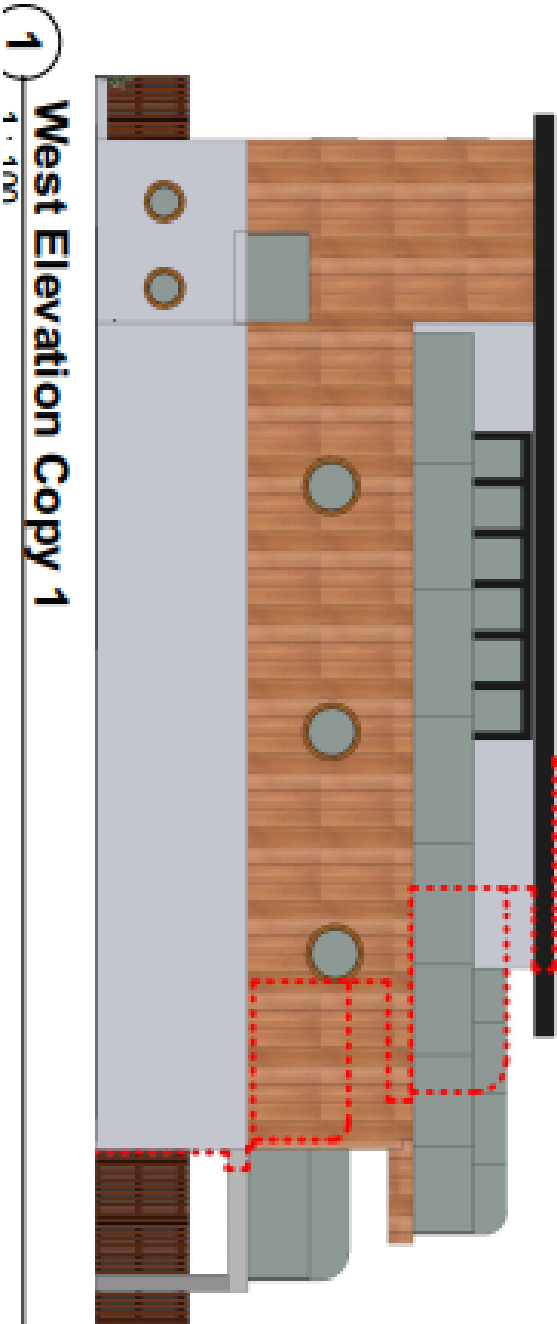
Also considered in relation to the application:

10 Aug 2023 A112 V9 PROPOSED FLOOR WITH OVERLAY

Reason: - To ensure provision of a satisfactory development.



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Presentation to Planning Committee on Thursday 2nd November

By Cllr Leah Turner

Application APP/23/00518 2, Bembridge Drive, Hayling Island

I have been contacted by a neighbour of this property asking me to help them as they feel this application if allowed will seriously impinge on their enjoyment of their home. As the officer was minded to allow this, I Red Carded it to the planning committee for it to be determined by them. I attended the site view working party and am aware of the application and the neighbour's objections to the alterations.

Bembridge Drive is a seafront road at Eastoke Corner on Hayling Island. It comprises of different types of houses, some of which have been extended in recent years. No 2 is the first house, situated on a prominent corner visible from the Eastoke Bandband and tourism area. The house with the extensions would provide a mass/ overbearing site visible to both residents and tourists.

My resident's objections are mainly due to the overlooking of their property by the extensions proposed. Contrary to R26/R27/R28. Also R132 which relates to the overdevelopment of the site which is too small for the development proposed. These are all contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

Whilst being aware that "one cannot purchase a view" the added floor will block the view from the flats opposite. This seems very unfair to the existing residents, some of whom have complained when seeing the application submitted.

I ask that the committee refuses this application taking into account the points made as above. One resident's desire to drastically increase the size of their property should not be allowed to ruin the pleasure that other residents get from their homes.

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31st October 2023

DEPUTATION OBJECTION

On behalf of [REDACTED]
[REDACTED]

Your Reference: APP/23/00518

Site Address: 2 Bembridge Drive, Hayling Island, PO11 9LU

Creation of new second floor, balconies to first and second floor, three storey front extension, first and second floor rear extensions and erection of new double garage

1. Loss of Privacy, unacceptable harm to residential amenity and overlooking

This application results in "*design creep*" and the incremental changes are significant and unacceptable.

At first floor the proposed dwelling increases in depth by 2.5 m to 17.9 with the rear balconies projecting a further 2.3m.

At second floor the increase in depth is 1.5 m to 14.7m and the rear balcony by 1m to 4.6m. The overall depth increase to 19.3m a further 2.5 m.

These change are excessive and are not minor in scale.

The balconies on the first and second floors will result in overlooking and loss of residential amenity. Planning permission for a balcony at 4 Bembridge Drive APP/APP/23/00120 has been approved, there is a considerable conflict between the proposal and the approved balcony.

A first floor balcony covers virtually the entire width of the south elevation and is overbearing and intrusive. The glazing is proposed to be clear apart from the balustrading with obscured glazing. The screen is 1.7m and an adult will be able to look directly onto my clients balcony. The first and second floor balconies will result in severe overlooking of the approved balcony and the rear garden of 4 Bembridge Drive. The same concerns apply to the second floor balcony and screen. The proposal is so intrusive that it will not be possible to have a private conversation on the balcony of 4 Bembridge Drive.

The proposed front/north elevation has a first floor balcony within Bedroom 9 immediately adjacent to 4 Bembridge Drive. The balcony has a depth of 1.7m. The building line of the proposed building is in front of 4 Bembridge Drive and there is only a distance of approximately 4 metres from the edge of the balcony and my clients house. People will be able to look directly into my clients lounge, a habitable room; through the velux window; as the glass screen appears only to be 1.1 m in height and not obscured glazing. The residents of 4 Bembridge Drive will be heard in conversation and hear people on the balcony. The plans do not have any dimensions in respect of the screen for this balcony. (Bedroom 9) This is an unacceptable loss of privacy and is highlighted in Plan A118 Relationship with No 4, which you are asked to review. This is a sufficient reason in its own right to refuse the application.

The public will be very aware of this additional bulk from the west and the south elevations in longer distance views and close up.

Paragraph 134 of the NPPF, states, poor design should be refused,

Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design , taking into account any local design guidance and supplementary planning documents such as design guides and codes

The proposal conflicts with Policy CS 16 in the Havant Borough Core Strategy March 2011 and the Havant Borough Council Borough Design Guide Supplementary Planning Document December 2011.

2. Loss of light

The absence of a Daylight and Sunlight Assessment is a serious omission. Given the scale of the proposal and its proximity to main habitable windows and the outdoor amenity areas at 4 Bembridge Drive an assessment is needed to properly consider the impact on daylight, sunlight and overshadowing.

There will a considerable loss of light in the downstairs ground floor living areas.

The first-floor bedroom at 4 Bembridge Drive is reliant on light it receives from the skylight window serving the room.

No decision should be made in favour of the application until:

- 1) the applicant has submitted a complete and accurate daylight and sunlight assessment prepared in accordance with the BRE guide, and
- 2) the assessment shows that the proposed design; or amended design, complies with the BRE guide.

Suggested Reasons for Refusal

1. The proposal will significantly and unacceptably change the residential character of Bembridge Drive due to the poor quality design, contrary to the NPPF, Policy CS 16, Havant Borough Core Strategy and the Havant Borough Council Borough Design Guide Supplementary Planning Document December 2011.

2. The design of the proposal is unacceptable in this location and results in unacceptable overlooking, perceived overlooking and loss of light to adjoining properties contrary to the NPPF, Policy CS 16, Havant Borough Core Strategy and the Havant Borough Council Borough Design Guide Supplementary Planning Document December 2011.

The application should be refused as there are significant and substantial material planning objections to the application.



Andrew Burgess BA Hons MRTPI FRSA
Managing Director

cc

[REDACTED]

Cllr Leah Turner Hayling East

[REDACTED]

Ian Murray speaking in support of APP/ 23/00518 2 Bembridge Drive Hayling Island

This application is a revision of a previously (very similar) approved application App/22/00965 granted permission on 6th December 22

I believe this application was recommended for approval by the planning officer but bought to committee by councillor turner at request of the owners of the neighbouring property due to concerns regarding overlooking and thus policy CS16.

The previously approved design also had two balconies to the rear which enjoyed an open sea view.

The design was careful to ensure that the building and balcony line of no 2 and no 4 Bembridge drive were in line so that both properties could enjoy the sea view equally.

Following this approval, in February of this year No 4 Bembridge drive submitted an application to extend further with a balcony to the rear of their property APP/23/00120

The impact this rear balcony was to cause an imbalance between the two rear elevations and impact on the view from no 2s proposed and approved balcony.

This is why the applicant submitted the revised application.

The aim of the revised application is to put both elevations back in line and to again allow them to have an equal shared view of the seafront.

both properties would be in line and have 1.7m frosted glass screening to the sides of their balconies to reduce overlooking.

It should also be noted that due to low boundaries and a public right of way both gardens are significantly overlooked by the public.

In evaluating the relationship of the two properties I ask that you to take note of the comments made by the planning officer when approving the application of the rear balcony for No 4.

She stated in her officers report

Having regard to the existing level of overlooking, it is considered, on balance, that the proposal would not lead to a significantly greater level of overlooking over that currently being experienced, which would be mitigated to an acceptable degree by the proposed screening. Therefore, having due regard to the representations received, **it is considered that the proposal would have a limited and acceptable impact upon this neighbouring property.**

Surely if this is the case for No 4 it must also apply to no 2

In terms of the front balconies

The balconies would be added to the walls of the existing building which is set back more than 1m from the existing stepped elevation of no 4 and 3m from the front elevation of no 4. The balconies are only 1.5m deep and due to the eaves of no 4 there would not be views into the front windows of no 4.

The balconies would look forward over public space and front gardens and as such would have very limited impact in terms of overlooking.

To conclude.

The proposal creates a building similar in footprint and height to its neighbour and retains a relationship in terms of rear elevation line and balcony treatment that has been found acceptable in previous approved applications at the location. The front balconies overlook public space and therefore, we do not believe the proposal increases overlooking of private space or creates any additional overlooking issues.

We therefore do not believe it is contrary to policy CS16 and would ask the application be approved.

Ian Murray

Subject: Letter of Support for Planning Permission Application – 2 Bembridge Drive, Hayling Island, PO11 9LU **APP/23/00518**

Dear Miss S Donophy

I am writing to express my strong support for the planning permission application submitted by Mr Ferguson for 2 Bembridge Drive. I firmly believe that this application aligns with the principles of fairness and equity that should underpin the planning process in our community.

Firstly, I would like to draw your attention to the approval of a neighbouring property's taller structure, which resulted in significant overlooking issues. This precedent set by the granting of planning permission for the taller structure next door should be considered in evaluating Mr Ferguson's application. The juxtaposition of these two properties accentuates the need for uniformity in decision-making. It would be unreasonable and unjust to grant permission for one property while denying it for another under similar circumstances.

Furthermore, I understand that the directors of our road have urged residents to object to this specific planning application, driven by concerns that may not be representative of the broader community's interests. The nature of their influence within our private estate may create a biased atmosphere that could sway others to object without fully considering the application's merits. It is essential that these objections are scrutinised carefully, with a recognition that they may not reflect the impartial views of all residents.

It's crucial to consider that the directors may have their own specific concerns, which might not necessarily align with the broader perspective. They may be guided by specific factors that are not applicable to every resident on the road and the wider community. Thus, it's vital that each application is evaluated independently, taking into account its unique circumstances and the potential impact on the community as a whole.

Moreover, it is worth noting that the planning department has indicated minimal objection and constraints to Mr Ferguson's application. This assessment, carried out by professionals with expertise in urban planning, holds significant weight in the decision-making process. Their approval underscores the compatibility of the proposed project with the existing urban landscape and zoning regulations.

In conclusion, I firmly believe that Mr Ferguson's planning permission application should be assessed fairly and impartially, taking into account the potential for biased objections influenced by the directors of their road. The approval of a taller structure next door, despite overlooking concerns, establishes a precedent that should be considered when evaluating this case. The professional judgment of the planning department, which has expressed minimal objection, further supports the merit of this application.

I respectfully request that you consider these points when evaluating the application. It is crucial to ensure that the planning process remains equitable and unbiased, respecting the rights of all residents to pursue reasonable and just development on their properties.

Thank you for your time and consideration.

Sincerely,

Luke Palmer

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Dear Miss S. Dorophy

I totally support this planning application. 2 Bembridge Drive already has 95% of the plans approved and the other 5% is an extended balcony to match the newly approved planning at number 4 Bembridge Drive. Not sure how people can object when number 4 have already had approval with little objections. The case officer and senior planning officer are happy to approve planning for number 2. I personally think it's been a complete waste of everyone's time and rate payers' money objecting about a balcony that they at number 4 can have but nobody else, I personally think whoever is responsible for writing to councillor Turner should be liable for cost for the coach that attended 2 and 4 Bembridge Drive.

I hope this beautiful design gets the approval it deserves.

With today's problems and little money about for gas, electric, food etc how can councillor Turner / HBC justify the cost of this appeal. If they had to pay for this out of their own pocket would this have happened.

H.B.C. planning for the balcony of No 4,

7.16 "It is not considered that this small section would create an overlooking concern so great as to warrant a refusal of the application".

From: Turner, Leah & Leah.Turner@havant.gov.uk

Sent: 09 October 2023 12:50

To: Donophy, Selina & Selina.Donophy@Havant.gov.uk

Subject: Re: APP/23/00518 2 Bembridge Drive

I have contacted the neighbour at no 4 who first approached me and they confirm they would still like this to go to the planning committee if you are intending to allow this.

I understand that some obscure glazing would be conditioned, but my resident has said this is insufficient to prevent loss of privacy

(the above states that no.4 wanted to take it to planning committee not Leah Turner, since when does the public have the right to take this to the committee, if no.4 would have said no they didn't want a committee meeting then this wouldn't have happened. No.4 have no right to say the obscured glazing is insufficient to prevent loss of privacy when no.4 has the same 1.7m obscured glazing and it's been granted planning permission, I just don't understand why people are so

negative and hurtful. Maybe it's all about mines better than yours.

From: Donophy, Selina Selina.Donophy@Havant.gov.uk

Sent: Monday, October 9, 2023 1:49 pm

To: Turner, Leah Leah.Turner@havant.gov.uk

Subject: RE: APP/23/00518 2 Bembridge Drive

Dear Councillor Turner,

Thanks very much for coming back to me – so just to confirm you would still like for this to go to planning committee ?

(Selina Donophy not sure who wants to take it to committee because Leah Turner was asking on behalf of no.4)

From: Turner, Leah & Leah.Turner@havant.gov.uk

Sent: 09 October 2023 13:56

To: Donophy, Selina & Selina.Donophy@Havant.gov.uk

Subject: Re: APP/23/00518 2 Bembridge Drive

Hello Selina

Yes it is overlooking with policy CS16. As the main reason. I would like this to go to the planning committee.

(Leah Turner makes no reference to CS16 in any emails until Selina Donophy mentions it. Also Selina Donophy has already told Leah Turner "From what you said it sounds like overlooking with policy CS16 ? With the screening – this would be 1.7 metre in height and obscured to the side so this would mean no one could stand and look down from the side as it would be above average eye line." So the CS16 overlooking as the main reason for committee meeting, Selina Donophy has already confirmed to Leah Turner that there is no overlooking 1.7 metre in height and obscured. That's the same as no.4 a 1.7 metre in height balcony and that has been granted and currently being built, how can no.4 have the cheek to complain and object to planning similar to what they wanted for there property, its good for them but no one else.)

No.4 has had planning approved from a bungalow to a mega 3 storey house with the roof as high as the 4 storey flat roof flats opposite, looking at the drawings no.4 has extended north about 10

metres and an extra 2.5m at the south, please note that no.6 is a single storey property and no concerns from anybody overlooking.

Thanks

Kiah Henderson

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