

DELEGATED OFFICER REPORT

Site Address: 24A Market Parade, Havant, PO9 1QF
Proposal: Retrospective planning application for single storey extension to flat.
Application Type: Retrospective Planning Permission
Application No: APP/24/00353 Expiry Date: 03/07/2024
Applicant: Mr Aldworth
 Rowlands Castle Roofing
Agent: Mrs J Fox Case Officer: Ikrame Essalih
 Critchley Architecture and
 Design
Ward: St Faiths

Recommendation: **REFUSE PLANNING PERMISSION IN RETROSPECT**

1 Site Description

- 1.1 24A Market Parade, Havant is a first floor flat contained in a mixed use three storey building located on the east side of Market Parade. The ground floor is occupied by fast food retail while the access to the maisonettes is via a shared staircase and corridor to the rear of the building and facing a parking/service area. The building features a flat roof and is constructed in facing red brick.
- 1.2 The surrounding area is characterised by mixed use buildings comprising retail, offices and commercial use with residential maisonettes on the upper floors.

2 Planning History

APP/16/00237 - Change of use from Class A1 (shops) to Sui Generis (Tattoo Studio)., PERM,24/05/2016

3 Proposal

This application is for the retention of a single storey front extension to a flat, serving as a conservatory. The extension requires formal planning permission due to the type of the residence, and the location, scale and materials of the extension. this application has been submitted retrospectively.

4 Policy Considerations

National Planning Policy Framework
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS16 (High Quality Design)

CS17 (Concentration and Distribution of Development within the Urban Areas)

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)

AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Councillor Daniel Berwick

No comments received.

Councillor Gillian Harris

No comments received.

Councillor Phil Munday - St Faiths

No comments received.

Hampshire Biodiversity Information Centre

Within 50m - Notable and protected species - Fiddle Dock

Officer Comment: *The development subject of this planning application is of a domestic scale. Therefore, it is anticipated that these works would not result in a negative impact on the above notable and protected species.*

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 50

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 0

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) CIL
- (v) Biodiversity Net Gain (BNG)

- (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 The NPPF states in part 12 Achieving well-designed and beautiful places:

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics.

To provide maximum clarity about design expectations at an early stage, all local planning authorities should prepare design guides or codes consistent with the principles set out in the National Design Guide and National Model Design Code, and which reflect local character and design preferences. Design guides and codes provide a local framework for creating beautiful and distinctive places with a consistent and high quality standard of design.

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.

- 7.4 The development has been assessed against policy CS16 of the Havant Borough Local Plan (Core Strategy 2011). The policy requires that developments are designed to a high quality and reduce the opportunities for crime and anti-social behaviour, also stating in bullet points 1(c) and 2 (a) that developments should:

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 layout of the development reduces opportunities for crime and antisocial behaviour; contributes to improving community safety; and makes provision for the management and maintenance of the development;

- 7.5 Additionally, the development has been assessed against the Havant Borough Council's Design Guide SPD (2011) which highlights in section 4.2 paragraphs 4.48 table 4.1:

Massing is the volume (depths and heights) of buildings in relation to other buildings, streets and spaces.

New developments should follow the typical pattern of existing properties, looking to immediate neighbours first. The mass of a new building or extensions should not be allowed to dominate the street.

Also, it states in paragraphs 5.36 that:

Front extensions should not protrude too far forward from the main building, or be prominent in the street and should respect the common building line. Front extensions are therefore most appropriate where the building is set well back from the street, where there is a staggered building line, or in isolated countryside locations.

- 7.6 The front extension is constructed in fibre cement cladding board in light grey colour with grey uPVC windows and doors and a flat roof in mineral felt. The extension is currently used as a front conservatory allowing for an internal transition area to the main entrance door. The extension is approximately 2.5 metres deep, and has a width of 5.66 metres and a total height of approximately 2.565 metres. It is adjacent to the shared open corridor leading to the different maisonettes' main entrance, located at the back of the three-storey building. It is noted that rear stairs and shared alley leading to open private terraces at the front of individual two-storey maisonettes is a common feature of this type of buildings within Market Parade.
- 7.7 Although the erected extension is located at the rear of the main building and fronting the rear car park and shared space, it is considered that due to the scale, materials and position of this new build, the extension is deemed prominent and out of character of the main building and the surrounding area.
- 7.8 Furthermore, it is noted that the front terraces of the neighbouring properties, on both sides of Market Parade, are kept open with some comprising temporary timber structures of smaller scales and allowing for visibility without significantly altering the appearance of the building.
- 7.9 Consequently, the design and appearance of the front extension is deemed inappropriate to the context of the main building and is therefore considered to be unacceptable, conflicting with the requirements of Policy CS16 of the Havant Borough Local Plan (Core strategy) and the guidance of Havant Borough Design Guide SPD. It is considered that the scheme would result in an adverse impact on the visual amenity of the locality. In accordance with guidance in the NPPF, permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

(iii) Effect on neighbouring properties

- 7.10 Policy CS16 of the Havant Borough Local Plan (Core Strategy 2011) seeks to resist developments that causes unacceptable harm to residential amenities of the neighbouring properties. Aligning with criterion 1(e), planning development would not be considered acceptable unless:

The development does not cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking.

- 7.11 The development is mainly located to the rear of the mixed-use building; However, it is considered as the front main elevation of the residential flats, thus would be noticeable from the public realm. Generally, it is noted that the front extension appears overbearing and result in a noticeable bulk due to the terraced form of the flats.
- 7.12 To the north side, is the adjoining property at No 26A. Due to the proximity of the development to the boundary line and considering the glass door and window forming

the entrance to the adjacent property, it is deemed that the erected front extension would result in a partial overshadowing to the closest window associated with the entrance door. However, this impact is considered limited and acceptable by dint of the height of the extension and considering that the window is not serving a habitable room.

- 7.13 To the south side, is the adjoining property at No. 22A. By dint of its location and the building orientation, it is considered that the development would not result in overshadowing or loss of light to this neighbouring property, albeit the overbearing appearance. However, it is noted that the south facing side window is positioned at approximately 1.65 metres above finished ground level. Therefore, it is considered that there is potential overlooking onto the adjacent property, due to the proximity.
- 7.14 Additionally, due to the bulk and mass of the front extension, it is noted that there is a loss of direct view onto the shared corridor, which would restrict opportunities for natural surveillance in relation to a shared semi-private area, adversely impacting on the amenity and well being of the occupiers of neighbouring properties.
- 7.15 The front extension conservatory is entirely screened from the properties located to the west of the application site and separated by Market Parade. Additionally, it is considered that the properties facing the application site from the east side are positioned at a sufficient distance to avoid any adverse impact resulting from the built development.
- 7.16 Consequently, it is deemed that the proposal would have a detrimental impact on the residential amenity of the immediately adjacent properties due to the overbearing aspect of the scheme and the potential overlooking and loss of natural surveillance for residents, thus conflicting with the requirements of Policy CS16 of the Havant Borough Local Plan (Core Strategy 2011).

(iv) CIL

- 7.13 The proposed works would result in a net gain of residential floor space of less than 100 sqm, therefore it is not CIL liable.

(v) Biodiversity Net Gain (BNG)

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

8 Conclusion

- 8.1 The scale, siting and design of the proposal is considered inappropriate in terms of design and has a significant adverse impact on the character of the area and restricts natural surveillance of the shared corridor by occupiers of the other maisonettes, adversely impacting on neighbouring amenities and their wellbeing and is therefore recommended for refusal.

9 RECOMMENDATION:

That the Head of Place be authorised to **REFUSE PLANNING PERMISSION IN**

RETROSPECT for application APP/24/00353, for the following reasons:

- 1 The front extension would by reason of its design, location and scale results in an unacceptable form of development harmful of the character and appearance of the existing building and the surrounding area. The construction of an 2.565 metres high extension at the front area of the maisonettes covering, in width and depth, a whole front area which was planned as an open terrace in order to maintain the character of the mixed use development at the rear, the open access to the maisonettes through the shared corridor, which provides natural surveillance to the occupiers of the maisonettes and creates a balanced transition between public to semi-private to private spaces. The proposal restricts natural surveillance for the occupiers of the maisonettes on this shared corridor adversely impacting on their amenity and wellbeing and results in a significant change to the appearance and functionality of the rear access to the different maisonettes as well as the character of the streetscene at this locality. The proposal would therefore conflict with Policy CS16 of the Havant Borough Local Plan and Havant Borough Council Design Guide SPD 2011 and the National Planning Policy Framework.
- 2 The proposal results in significant overlooking onto the adjacent property at No. 22A due to the south side facing window positioned facing the neighbouring property at an angle. The proposal would therefore conflict with Policy CS16 of the Havant Borough Local Plan Core Strategy and the National Planning Policy Framework.