
Site Address: 6 The Mallards, Havant, PO9 1SS
Proposal: Front porch extension, first floor extension over the garage and pitch roof replacement to existing flat roof dormer.
Application Type: Full Planning Permission
Application No: APP/23/00845 Expiry Date: 18/01/2024
Applicant: Mr Y Kan
Agent: Mr D Treagus Case Officer: Joseph Toole
 Derek Treagus Associates
Ward: St Faiths

Recommendation: **REFUSE PERMISSION**

1 Site Description

6 The Mallards, Havant, is a two storey detached dwellinghouse located to the east side of The Mallards. The property comprises of brickwork and tile hanging with concrete roof tiles. Vehicular access is from The Mallards with parking to the front.

The property is located within a residential estate with surrounding properties of the similar design.

2 Planning History

No relevant planning history.

3 Proposal

The proposal is for a front porch extension, a first floor extension over the garage to provide a family room and pitch roof replacement to existing flat roof dormer.

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)

Havant Borough Local Plan (Allocations) July 2014

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Councillor Gillian Harris

No Comment.

Councillor Imogen Payter

No Comment.

Councillor Phil Munday - St Faiths

No Comment.

Developer Services, Southern Water

Southern Water requires a formal application for any new connection to the public foul sewer to be made by the applicant or developer.

To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link:

southernwater.co.uk/developing-building/connection-charging-arrangements

In situations where surface water is being considered for discharge to our network, we require the below hierarchy for surface water to be followed which is reflected in part H3 of the Building Regulations. Whilst reuse does not strictly form part of this hierarchy, Southern Water would encourage the consideration of reuse for new developments.

- Reuse
- Infiltration
- Watercourse
- Storm sewer
- Combined Sewer

Guidance on Building Regulations is here:

gov.uk/government/publications/drainage-and-waste-disposal-approved-document-h

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).

Website: southernwater.co.uk or by email at:

SouthernWaterPlanning@southernwater.co.uk

Langstone Harbour Board

The Board's Planning Sub Committee has considered this application and NO OBJECTION to the proposal.

Southern Gas Network

Please find an extract from our mains records for your proposed work area, any SGN assets are described in the map legend. On some occasions blank maps may be sent to you, this is due to your proposed work being in a no gas area but within our operational boundaries.

This mains record only shows the pipes owned by SGN in our role as a Licensed Gas Transporter (GT). Please note that privately owned gas pipes or pipes owned by other GTs may be present in this area and information regarding those pipes needs to be requested from the owners. If we know of any other pipes in the area we will note them on the plans as a shaded area and/or a series of x's.

The information shown on this plan is given without obligation or warranty and the accuracy cannot be guaranteed. Service pipes, valves, siphons, stub connections etc. are not shown but their presence should be anticipated. Your attention is drawn to the information and disclaimer on these plans. The information included on the plan is only valid for 28 days.

On the mains record you may see the low/medium/intermediate pressure gas main near your site. There should be no mechanical excavations taking place above or within 0.5m of a low/medium pressure system or above or within 3.0m of an intermediate pressure system. You should, where required confirm the position using hand dug trial holes.

A colour copy of these plans and the gas safety advice booklet enclosed should be passed to the senior person on site in order to prevent damage to our plant and potential direct or consequential costs to your organisation.

Safe digging practices in accordance with HSE publication HSG47 "Avoiding Danger from Underground Services" must be used to verify and establish the actual position of the mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all relevant people (direct labour or contractors) working for you on or near gas pipes.

It must be stressed that both direct and consequential damage to gas plant can be dangerous for your employees and the general public and repairs to any such damage will incur a charge to you or the organisation carrying out work on your behalf. Your works should be carried out in such a manner that we are able to gain access to our apparatus throughout the duration of your operations.

Portsmouth Water

Thank you for your plant location/mapping enquiry.

Please find attached the plan(s) showing the approximate position of water mains at the requested location.

Service connections are not shown but it should be assumed that all premises are supplied from the water distribution network. Other connections not related to properties, such as field supplies, may also exist so we would suggest a visual/CAT scan/Ground Radar survey is undertaken prior to any hand or mechanical excavation.

Safe digging practices in accordance with HSE publication HSG47 "Avoiding Danger from Underground Services" must be used to verify and establish the actual position of the mains, pipes, services and other apparatus on site before any mechanical plant is used. This documentation is available at <http://www.hse.gov.uk/pubns/priced/hsg47.pdf>

Copies of guidance notes: Working near distribution apparatus and Guidance for working near or over a Trunk Water Main are enclosed. Please read carefully as the conditions will apply to any work you undertake in the vicinity of Portsmouth Water assets.

It is important to ensure that a copy of the above guidance is provided to those undertaking any work which may affect our apparatus.

Please note Portsmouth water has no responsibility for any underground drainage or sewerage infrastructure. Enquiries regarding these assets should be directed to the relevant authority/company.

SSEN

We acknowledge with thanks your request for information on the location of our assets.

Having examined our records, I can confirm that whilst SSE Utility Solutions Ltd may have assets in the wider vicinity, there are no records of any owned apparatus within the specific search area of your enquiry detailed in the reference/location provided.

It remains responsibility to ensure that the correct safe working practices are following in line with industry legislation and guidance.

Should you require further information, please do not hesitate to contact me on the below telephone number.

We have sent you the plans of our network records within the area requested. You will shortly receive responses each of the following; any High Voltage Mains cables and Low Voltage Mains cables.

Attached to this email is the 'Guide to Interpreting' which includes the legends for the plans on pages 7-9.

If a Service Cable is not shown on our maps sent, and you require the Cable to be Traced, please contact the General Enquiries Department on 0800 048 3516 (option 3) or via email, ge@ssen.co.uk

If you need further information on our network in this area or a quotation for any required works, please contact the Connections & Engineering Department on 0800 048 3516 or via email, connections@sse.com

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: 7

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 2

Comment	Officer Comment
Conflicts with Policy CS16 of the Havant Borough Core Strategy (2011)	Please see Section 7 regarding all comments made.
Almost identical to planning application APP/15/00722 relating to a nearby similar property which was refused and subsequently dismissed at appeal	
Dominant street scene, harmful to the existing character and appearance of the area	
Present a large blank facade detrimental to the street scene	
Result in loss of light	
Overbearing	
Window would directly overlooking at first floor level	
Destroy any privacy within our garden	
Overdevelopment	
Overlooking concerns	
Discrepancy between floor plans and elevations for the window position in the family room	Noted

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) Drainage matters
- (v) Ecology matters
- (v) Other matters

(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 proposed works would have brickwork and tile hanging with concrete roof tiles to match the existing property. The use of these materials are considered to be inkeeping with the context of the main dwellinghouse and the character of the area.

7.4 The proposed front porch and pitch roof replacement to existing flat roof dormer are not considered to have an adverse impact on the character of the area.

7.5 The proposed first floor extension over the existing garage would result in a two storey development right up against the boundary adjacent road of The Mallards.

7.6 Within the National Planning Policy Framework December 2023 it states decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

7.7 Policy CS16 of the Havant Borough Core Strategy (2011) states planning permission will be granted for development that is designed to a high standard, which helps to create places where people want to live, work and relax. All development should demonstrate that its design responds positively to existing features of natural, historic or local character within or close to the proposed development site.

7.8 The Havant Borough Design Guide SPD states extensions should look to the existing building as the main reference point for appearance, materials and details such ridge, verge and eave finishes, head and cills, brick coursing, dressings and quoin work. The Design Guide also provides specific guidance in relation to front extensions as follows:

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. Two storey front extensions will only be acceptable where the building is set well back from the street

7.9 In accordance with the policy position above it is considered that the proposed first floor extension due to its design and form abutting to the road would be an overly dominant feature in the street scene. It is important to note that the properties on the estate are generally similar in design with many properties including a low garage building to the front. This element is a feature of the estate and it is considered that the front garages are acceptable because they are not visually dominant with the main houses set further back in the street scene which are the dominant elements. The current proposal to add a storey above the garage would be overly dominant and would be an incongruous and the most prominent feature on the dwelling when viewed from public vantage points. It is considered that the addition would detract from the character and appearance of the existing building and the street scene.

7.10 As there are several other properties with similar front garages, the extension if permitted would also set a precedent for other similar proposals which the Local Planning Authority would find difficult to resist. The cumulative impact of such additions would significantly alter the character of the estate to the harm of the visual amenities of the area. It is worth noting under planning reference APP/15/00722 planning permission was refused for a first floor extension over the existing garage at No.14 The Mallards due to its adverse impact upon the character of the area and the existing dwelling. This application was subsequently dismissed at appeal, under PINS reference APP/X1735/D/15/3136287 due to proposal harming the character and appearance of the existing house and the street scene in general because of its height, massing, siting and materials. It is considered the proposal here would result in a similar adverse impact upon the street scene. Whilst planning permission was granted for a first floor extension over the existing garage at No.2 The Mallards under planning reference 06/58091/001 this had different planning policy considerations. At the time of determination the Council did not have the Core Strategy nor the Design Guide SPD which brought to light further considerations on design implications and its impact upon the street scene. As such the approval at No.2 does not justify the support for the proposal due to the reasons covered above.

7.11 The design and appearance of the proposal is deemed inappropriate in context to the character of the area and the existing dwelling and is therefore considered to be unacceptable, contrary to the requirements of Policy CS16 of the HBLP (Core Strategy) and 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

7.12 Policy CS16 of the Havant Borough Core Strategy states all development should demonstrate that the development does not cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking.

7.13 The proposed works to the front of the property are not considered to have an adverse impact on No.1 The Mallards, opposite the site, due to its separation distance.

- 7.14 The proposed works are not considered to have an adverse impact on No.2 The Mallards to the south due to its separation distance. It is noted there is a discrepancy on the proposed plans with the floor plans showing a first floor window on the first floor extension facing No.1 The Mallards whereas the elevations show a window facing the side of No.2 The Mallards. This was pointed out to the applicant's agent however no amended plans were forthcoming. Therefore, the application is to be determined as it stands. Regardless it is considered a window on either of these sides are not considered to have an adverse impact on the neighbouring properties as they would face out onto a driveway and not private amenity space.
- 7.15 On the north side facing No.8 The Mallards the proposed first floor extension would extend across the shared boundary with No.8 The Mallards rear garden. Due to its mass and bulk design it is considered to appear overbearing to the occupiers of No.8 in which their outlook would be severely reduced. Furthermore, due to the proposed extension's size, height and orientation it is considered to cause a harmful loss of natural light during afternoon hours which would have an unacceptable adverse impact upon the occupiers of No.8. In addition, there would be a first floor window serving a study room facing out onto the rear garden and into the property of No.8. This is considered to cause significant harmful overlooking and result in a loss of privacy.
- 7.16 Consequently, it is considered that the proposal would lead to significant overlooking/loss of privacy, appear overbearing, reduce outlook and result in the harmful loss of light having an unacceptable adverse impact on the No.8 The Mallards, contrary to Policy CS16 of the Havant Borough Core Strategy (2011) and the National Planning Policy Framework.

(iv) Drainage matters

- 7.17 Southern Water commented on the application raising no objection.

(v) Ecology matters

- 7.18 The application site is located within 50 metres of Wader and Brent Good Strategy H27 Secondary Support Area. Due to the size and scale of the proposed works it is not considered to have an adverse impact upon the ecology of the area.

(vi) Other matters

- 7.19 Comments were received from Portsmouth Water, SGN and Scottish and Southern Electricity Networks, which are noted.

8 Conclusion

- 8.1 In conclusion the proposal hereby submitted would be an incongruous and prominent feature which would dominate the host dwelling and have a significantly detrimental impact on the character and appearance of the locality and the visual amenity of the street scene. Furthermore, the proposal would have an adverse impact upon the occupiers of No.8 The Mallards in terms of overlooking/loss of privacy, be overbearing, reduced outlook and the harmful loss of light, contrary to Policy CS16 of the Havant Borough Local plan (Core Strategy) 2011, the Havant Borough Design Guide Supplementary Planning Document 2011 and the guidance in the NPPF, which positively promotes quality design in developments. It is therefore recommended that the proposal be refused.

9 RECOMMENDATION:

That the Head of Place be authorised to **REFUSE PERMISSION** for application APP/23/00845 subject to the following conditions

- 1 The proposal would be an incongruous and prominent feature which would dominate the host dwelling and have a significantly detrimental impact on the character and appearance of the locality and the visual amenity of the street scene. The Mallards includes a number of dwellings with front garages of a similar design and it is considered that if this proposal were to be permitted it would set an undesirable precedent for further similar proposals which cumulatively would further significantly harm the character and appearance of the estate. As a result, the proposal would be contrary to Policy CS16 of the Havant Borough Core Strategy (2011), the Havant Borough Council Borough Design Guide Supplementary Planning Document 2011 and the National Planning Policy Framework.
- 2 The proposal would lead to significant overlooking/loss of privacy, be overbearing, reduce outlook and result in the harmful loss of light having an unacceptable adverse impact on the occupiers of No.8 The Mallards, contrary to Policy CS16 of the Havant Borough Core Strategy (2011) and the National Planning Policy Framework.