

APPEAL: 1 Hart Plain Avenue

PLANNING REPORT – COMPLETED FOLLOWING SUBMISSION OF APPEAL AGAINST NON-DETERMINATION SETTING OUT THE COUNCIL'S POSITION

Planning Inspectorate Reference APP/X1735/W/23/3319773

Havant Borough Council Reference APP/22/01094

1 Site Description

- 1.1 1 Hart Plain Avenue is located in Cowplain in a corner location to the south of Hart Plain Avenue and to the west of the A3 London Road. The property is a detached bungalow with first floor accommodation provided within the roof space including front and rear dormers. The main building is brown brick with brown tiles, the dormers have white cladding. To the south-west of the dwelling is a detached pitched roof double garage in brick and tile hanging to the gable and concrete roof tiles. It is noted from historic street views that the application site was formerly screened to the London Road and Hart Plain Avenue frontages by tall evergreen hedges.
- 1.2 In terms of the surroundings, to the west is No.3 Hart Plain Avenue a detached bungalow with other properties to the southern side of Hart Plain Avenue comprising bungalows or chalet style bungalows. The land slopes down from east to west such that the application site is set higher than the nearest properties to the south side of the Avenue. The north side of Hart Plain Avenue again includes bungalows and chalet style bungalows with the exception being 2a Hart Plain Avenue which is a two storey property with rooms in the roof and dormer windows.
- 1.3 London Road to the north of Hart Plain Avenue is characterised by two storey semi-detached and detached dwellings. London Road to the south of Hart Plain Avenue is characterised by well set back detached properties of single and two storey design.

2 Planning History

93/53776/004 - Extensions and alterations to dormers to front and rear, PERM,23/09/1993

93/53776/005 - Use of site for car sales business., REF,19/11/1993

92/53776/002 - Detached double garage to front., PERM,29/03/1993

04/53776/006 - Conversion of existing detached double garage into a dwellinghouse including provision of dormer window to the side (north west) elevation. Utilising existing access to Hart Plain Avenue., REF,10/05/2004

08/53776/007 - Demolition of existing dwelling and erection of 8No. apartments with associated car parking and landscaping., REF,28/03/2008

08/53776/008 - Outline Application for construction of 5No. dwellings with associated landscaping, parking and access alterations. (Demolish existing dwelling.),
REF,17/12/2008

The current application is the subject of an appeal against non-determination.

3 Proposal

- 3.1 Erection of two storey side, rear and front extensions, alterations to fenestration. Replacement garage and erection of a garden room. Increase in height of front boundary wall with sliding entry gate.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Council Borough Design Guide SPD December 2011

Havant Borough Council Parking SPD July 2016

Hampshire County Council - Consultation with Hampshire County Council as the Local Highway Authority - Notification to local planning authorities Adopted April 2017 - Version 1.1

Havant Borough Local Plan (Core Strategy) March 2011

CS16 (High Quality Design)

CS20 (Transport and Access Strategy)

DM11 (Planning for More Sustainable Travel)

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)

Emsworth Neighbourhood Plan Post Examination Version 2020 - N/A

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Councillor Carly Scannell - Hart Plain - No comments received

Councillor David Jenner - No comments received

Councillor E Shimbart - Hart Plain - No comments received

Hampshire Highways

As the application is for a single dwelling located accessed from an unclassified adopted metalled highway with no proposed changes to the existing footway crossover access, HCC's Highway Standing Advice should be referred to in the first instance. This can be viewed via the following link under the heading Consultation with the Highway Authority -

<https://www.hants.gov.uk/transport/developers/consultation>

Should further advice be required please consult further with the Highway Authority.

Hampshire Biodiversity Information Centre

Within 50m - Priority Habitat - Lowland Mixed Deciduous Woodland

Within 50m - SINCC - The Queens Enclosure

Within 50m - Ancient Woodland Inventory - Ancient Replanted Woodland

Portsmouth Water (Linesearch response)

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/psd/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.

Southern Gas (Linesearch)

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.

Scottish & Southern Electricity Networks

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: 3

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment

I object to this application

My objection is just against the installation of a gated access to the property from Hart Plain Avenue. The location of the proposed gate, adjacent to the pavement will not enable vehicles to enter the property without blocking the road at what is already a busy junction.

Given there are 3 schools on the road, there are lot of parents and children that use the road and without the ability of vehicles to enter the property unhindered, as they do now, this will create unnecessary danger and increase congestion.

Should the plans be altered to exclude a gate, so that the entrance is unhindered then I would support the application.

Officer Comment: Comments in relation to gates noted and addressed in part 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) Highway implications
- (v) 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 The site is on the corner of Hart Plain Avenue and London Road and is in a prominent position when viewed from the north, east, south and west. The site is also on raising ground when viewed from the west as the land slopes up towards the site. Following the removal of a significant evergreen hedge the site is now very open with relatively low walls. The existing development consists of a modest bungalow with rooms in the roof and front and rear dormers together with a double garage. The current building has a current maximum ridge height of approximately 6.3m. The proposed maximum ridge height would be 9.290 with accommodation on three floors. The width of the main building would be increased by 4.865m when viewed from Hart Plain Avenue projecting closer to London Road than nearby development.
- 7.4 In terms of the floorspace of the main building this would increase from approximately 211sqm to 445sqm a 111% increase. The proposed development would therefore transform a relatively modest bungalow with 5 bedrooms to a large 6 bedroom property. In addition, it is proposed to provide a double garage in a forward position on the corner of the site close to the junction with Hart Plain Avenue and London Road measuring 8m wide by 6m deep. The existing garage would be demolished and a garden room and garden store provided with an increased footprint but with a flat rather than a pitched roof. Finally, the wall to the site frontages is proposed to be increased in height by 0.6m and a sliding gate is proposed to be provided. The proposal would result in the original dwelling being completely overwhelmed by the height, mass and bulk of the extensions to an extent where the proposals effectively have the appearance of a new house of very significantly increased scale on the site. It is noted that Havant Borough Design Guide SPD 2014 states:

5.35 In general, an extension should not be bigger than the main building and therefore should appear smaller in mass and height. 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 positions and proportions of solid wall to opening of windows and doors is also important. The roof form and slope should also reflect that of the main building.

In relation to side extensions the SPD states:

5.37 It is important that the extension remains subservient to the main building, so it can be read which part of the building is the original and which is a later addition. Two storey side extensions should be set back behind the main building line. The ridge height of the extension can also be reduced to below the height of the main ridge so that the extension does not dominate the main frontage. The angle of the roof should be the same as or similar to the existing roof.

In relation to rear extensions the SPD states:

5.41 Rear extensions should be sympathetic and subservient to the original design of the building. They also need to have particular regard to neighbouring properties and should not cause an adverse affect, such as overshadowing.....

The proposed development fails to be subservient to the original dwelling and is considered to dominate the existing building, this is harmful to the character of the area as set out below.

- 7.5 The proposed dwelling would be particularly prominent in the both street scenes. From Hart Plain Avenue the two storey gables would contrast in scale with and character and appearance of the existing street scene where properties are generally single storey or of chalet design and usually have roofs hipped away from the frontage resulting in a reduced mass and bulk. The proposed dwelling would contrast with the surrounding development by reason of its scale, height mass and bulk and this would be exacerbated by the prominent corner location and the rising levels when viewed from the west.
- 7.6 In the London Road street scene, the long flank elevation of the main building would be set closer to the frontage than nearby properties. The elevation would have a depth of approximately 16m with a ridge height of 9.29m (tallest part). The tall prominent building would present a flank elevation to London Road with large expanses of brickwork and would lack in articulation or design features to help to break up the mass and the bulk of the elevation. Again, the corner position would increase views and prominence of the building which is not considered to result in an attractive element in the street scene but would rather detract from the established character and pattern of development.
- 7.7 The proposed double garage proposed on the site frontage when viewed from both adjacent roads whilst flat roofed would be a very obvious element in the street scene. Its prominent and elevated location (when viewed from the west) would be insensitive to the established pattern of development and again is considered to detract from the character and appearance of the street scene.
- 7.8 Policy CS16 of the Havant Borough Local 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 (amongst other matters):

1. Responds to, draws inspiration from and respects local context and:

a) Identifies and responds positively to existing features of natural, historic or local character within or close to the proposed development site;

c) 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;

As set out above it is not considered that the proposed development would meet these requirements as the proposal would contrast and be harmful to the existing streetscenes, character of the area and pattern and scale of development.

(iii) Effect on neighbouring properties

- 7.9 In relation to neighbouring properties the closest properties are No's.3 and 2a Hart Plain Avenue, and 243 London Road.

- 7.10 No.3 Hart Plain Avenue is a bungalow set slightly lower than the application site. The proposal would result in the closest part of the extended property having a low eaves line adjacent to No.3 and then the roof sloping away from the boundary up to a maximum height of 9.29m. The contrast between the height of No.3 and the extended dwelling would be stark as demonstrated by the submitted streetscene drawing. This would be likely to result in an overbearing relationship between the two properties due to the height, mass and bulk of the proposal which would dominate in scale the adjacent property to the harm of the residential amenities of the occupants.
- 7.11 No.2a is set to the north of Hart Plain Avenue and would be set well off the application dwelling. It is not considered that the proposals would be harmful to the residential amenities of this property.
- 7.12 No.243 is located to the south-west of the application site and is set well off, it is not considered that the proposals would harmfully impact the occupiers of this property.

(iv) Highway implications

- 7.13 The proposals include the provision of a sliding gate to the existing access. The property is located close to the corner of Hart Plain Avenue and A3 London Road. A third party has raised concerns in relation to the proposed gate and its set back from the highway. The consultation response from Hampshire County Council Highways (the Highways Authority) states that HCC's Highway Standing Advice should be referred to in the first instance. The Hampshire County Council Consultation with Hampshire County Council and the Local Highway Authority Notification to local planning authorities Version 1.1 states:

3.7 If gates are to be fitted across the vehicle access then these must open away from the highway (inwards). To ensure that there is sufficient space for a vehicle to exit the highway gates must be set back 6m from the edge of the carriageway.

If gates are proposed the following condition should be placed on the permission:

Any gates provided shall be set back a distance of 6m from the edge of the carriageway of the adjoining highway.

Reason - In the interests of highway safety.

- 7.14 Policy CS20 of the Havant Borough Local Plan (Core Strategy) 2011 states that: Development will be permitted that amongst other matters: *4. Provides transport management measures to ensure the safe and efficient operation of the strategic and local network. Policy DM11 Requires ...safe and secure vehicular and cycle parking and turning facilities....*
- 7.15 Given that there is now an appeal against the non-determination of this application it has not been possible to secure amendments to the position of the proposed gate which is shown approximately 3.4m from the carriageway of the adjoining highway and therefore would not allow for a car entering the site to be off the road when the gate is opening in the interest of highway safety. It has also not been possible to seek to address this issue by planning condition. Therefore, it is necessary to add a reason for refusal in this case in the interests of highway safety.

(v) CIL

- 7.16 The proposal would result in a floorspace increase of more than 100sqm and the proposal would therefore be CIL liable. The additional floorspace has been calculated to 293sqm (taking account of demolitions including the garage and the proposed extended dwelling and outbuildings). Based on the current CIL charging Schedule this would result in a CIL contribution of approximately £37,146. It is noted that the CIL forms submitted do not appear to be complete and this will be raised with the planning agent. Self build exemption has been claimed in this case.

8 Conclusion

- 8.1 The proposed development is considered harmful to the character and appearance of the area including the adjoining streetscenes, furthermore the proposal would result in an overbearing relationship to the adjacent bungalow. Finally the position of the proposed gate would be harmful to highway safety. Had the Local Planning Authority therefore have been able to determine the application planning permission would have been refused.

9 RECOMMENDATION:

Had the Local Planning Authority been able to determine the application planning permission would have been REFUSED for the following reasons:

1. The application site is located in a relatively prominent position on the corner of Hart Plain Avenue and London Road (A3). The proposed extensions to the dwelling would by reason of their scale, design, height, mass and bulk would dominate the original dwelling and result in a development which would be harmful to the established street scenes and the character and appearance of the area. In addition, the proposed flat roofed double garage sited to the front of the extended dwelling and on the corner of site would also be out of character and harmful to the appearance of the area. The development would therefore conflict with Havant Borough Local Plan (Core Strategy) 2011 policy CS16, Havant Borough Council Borough Design Guide Supplementary Planning Document 2011 and the National Planning Policy Framework.
2. The proposed extension to the dwellinghouse would by reason of the height, mass and bulk and proximity to the boundary result in an overbearing and unneighbourly impact on the residential amenities of the occupants of No.3 Hart Plain Avenue. The proposal therefore conflicts with Havant Borough Local Plan (Core Strategy) 2011 policy CS16, Havant Borough Council Borough Design Guide Supplementary Planning Document 2011 and the National Planning Policy Framework.

3. The site is located close to the corner of Hart Plain Avenue and London Road (A3). The proposed gate would not allow for vehicles entering the site being able to be positioned off the road whilst the gates open. The siting of the gate would result in a highway safety concerns and interfere with the flow of traffic on Hart Plain Avenue. The proposal would therefore conflict with Havant Borough Local Plan (Core Strategy) policies CS20 and DM11, Hampshire County Council Consultation with Hampshire County Council as the Local Highway Authority Notification to local planning authorities 2017 Version 1.1 and the National Planning Policy Framework.