
Site Address: 53 Oaktree Drive, Emsworth, PO10 7UJ
Proposal: Single storey rear extension to provide a new granny annex with bedroom, kitchen, living room and separate entrance.
Application Type: Full Planning Permission
Application No: APP/24/00384 Expiry Date: 18/07/2024
Applicant: Mr John Cox
Agent: Mr John-Paul Rogers Case Officer: Josephine Lacey
The Architects Design Ltd
Ward: Emsworth

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site is a detached four bedroom, two storey property with an integral garage situated at the end of a cul-de-sac. It has a grey tiled pitched roof with elevations of red multibrick and light grey cladding at first floor. The site is open to the front with block paving and the side and rear garden is mainly laid to lawn with shrubs and a patio area. The garden slopes slightly away to the west and is enclosed to all boundaries by 1.8 metre high fencing. There is also a greenhouse and a timber shed
- 1.2 A 2/3 storey detached property lies to the south, the side aspect of a new two storey property is to the east and Hollybank Wood is to the north and west. The area is of medium density of newly built two and 2/3 storey detached and semi-detached properties of a similar age, similar and different styles and designs forming part of the new development to the north of Oak Tree Drive.

2 Planning History

APP/14/00545 - Proposed demolition of unstable brick boundary wall and replacement with new brick boundary wall as detailed located to north of Plot 32 of Planning Approval ref 09/72129/002. Replacement stables., PERM,19/11/2014

APP/14/01285 - Application for variation of Condition No. 1 of Planning Permission APP/14/00337 to extend timescale from 31st December to March 31st 2015., PERM,23/01/2015

09/72129/002 - Demolition of 2No. dwellings and erection of 48No. dwellings with associated garages and parking with access from Oak Tree Drive., PERM,28/02/2011

APP/15/01035 - Construction of new conservatory, and erection of a small timber shed and greenhouse., PERM,06/11/2015

3 Proposal

Single storey rear extension to provide a new granny annex with bedroom, kitchen, living room and separate entrance.

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

CS11 (Protecting and Enhancing the Special Environment and Heritage of
Havant Borough)
CS16 (High Quality Design)

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)

Emsworth Neighbourhood Plan Post Examination Version 2020

ENP_D1 (General Design Policy)
ENP_D2 (Height, Mass & Materials)

Listed Building Grade: Not applicable.
Conservation Area: Not applicable.

5 **Statutory and Non Statutory Consultations**

Councillor Charles Robert
No comments received.

Councillor Grainne Rason
No comments received.

Councillor Reuben Mychaleckyj
No comments received.

Ecologist, Planning Policy Team

I am content that the proposed development would be unlikely to result in ecological impacts and that no further information is required.

Emsworth Residents Forum
No comments received.

HCC Arboricultural Consultancy

There is an inconsistency between the two arboricultural reports on the stem diameter of the tree T1 oak offsite in woodland. Given that this is a critical dimension for determining the protection area needed for this tree, the actual measured one is used from the report reference Q0333\Cox\CIR\2023_V1 aerial tree inspection. This is measured as 966mm at 1.5m agl. The dimension used in the TPP is smaller dimension, cited as estimated at 900*. This means that the RPA plotted on the tree protection plan is smaller than it needs to be. This must be amended please.

The report states at 8.3 that T1 is to have its overextended laterals removed as they are an actionable nuisance'. No evidence of this nuisance is provided. Overhang alone is not an actionable nuisance. The tree belongs to third party and through not currently subject to a TPO, permission to carry out any significant works that may reduce the vitality of T1 must be obtained from the owner (believed to be HBC) as must right of access and the right to carry out works to any third party tree from their land.

Para 8.3 states 'An aerial inspection will be carried out to examine the large cavity on the main stem and the results may show a need for further works on safety grounds'. Details of this report do not indicate that it is dangerous.

Para 8.6 Changes in Ground Surface within RPAs states 'There is no change of ground surface per se for the most part within the RPA of T1 Oak as this area has historically been patio and raised beds.' There is a significant difference between construction within and RPA and patio/planting beds: the former will alter hydrology, root severance, available soil volumes for root growth etc.

As there is already a visible, adverse impact on the tree (attributed to the nearby developments in the tree condition survey at paragraph 4: "The subject tree has apical dieback and a sparse canopy. A reduction in vitality and thinning canopy has likely been caused by the development of the residential estate and associated ground works approximately 8yrs ago") any further incursion to the RPA is to be avoided. Pile and raft construction may be acceptable (posited as an option but not stated at the chosen method in para 8.9 foundations), but there must be a detailed methodology and design submitted for approval pre commencement. The detail should include maintaining current soil hydrology. Standard strip foundations will not be acceptable where they are affecting this amount of the RPA (more when correctly plotted)

The design seems to have taken no account of the presence of T1 in its design: the proposal looks to nearly double the footprint of the existing accommodation, and all towards the tree. I feel there are alternative, less impactful designs that could be explored that would extend away from the tree to the west for example. With the current level of detail on foundation/construction type, and the inaccurate plotting of the RPA at this time I am unable to support the application.

Further detail on RPA size, construction type and consideration of the actual layout of the proposal is required please.

Officer comment:

The requested details have been submitted and the requested amendments have been made. Following discussion with HCC Arboricultural Consultancy, the planning statement was amended and it was agreed that the retained RPA would be improved by either soil amelioration or rediverting rainwater, or similar proposals. An Arboricultural Method Statement is required by pre-commencement condition.

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: 1

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
The design looks like it will match the existing builds of the area and won't over look our property. There will be a significant area of wall and roof visible from [redacted] but hopefully it won't look too obtrusive or block too much light.	Noted. Noted, please see section 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) Ecology
- (v) Trees
- (vi) Parking

(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 development includes construction of a single storey extension to provide a new granny annex with bedroom, kitchen, living room and separate entrance. The proposal is within the rear garden but would extend from the northeast side of the dwelling, so it would be visible from the streetscene. It would be L-shape with a pitched roof, and gable ends facing north and east. It would extend from the east elevation by approximately 5.8m, with the gable end at a width of 5.2m facing east. The proposal would extend 4.8m from the north elevation of the property, with the gable end to the north being 4.8m in width. It would be 4.3m to ridge height and approximately 2.4m to eaves height.

- 7.4 There would be two windows serving a WC and shower room in the south elevation. There would be a floor-to-ceiling window, patio doors and a high level triangular style window in the north elevation. On the east elevation, there would be a door to the proposed courtyard garden. On the west elevation there would be patio doors and two windows.
- 7.5 Within the main dwelling, patio doors would replace a window within the living room on the west elevation, and a window would replace patio doors on the north elevation.
- 7.6 Two new sections of timber fence and gates are proposed. One is adjacent to the north elevation and northern boundary fence, and one adjacent to the south elevation and boundary line.
- 7.7 The proposed materials have been chosen to match the existing property and include horizontal Cedar light blue cladding, brickwork to the plinth below the cladding, concrete interlocking roof tiles, windows with white external frames, and a dark coloured new entrance door.
- 7.8 The design and appearance of the proposal is deemed appropriate in context to the main building and is therefore considered to be acceptable, meeting the requirements of Policy CS16 of the HBLP (Core strategy). It is considered that the scheme would not result in an adverse impact on the visual amenity of the locality.

(iii) Effect on neighbouring properties

- 7.9 To the east is No.36 Oaktree Drive. On the east elevation of the proposal, there would be a door. The existing boundary treatment would screen this area and there would therefore be no harmful overlooking. The proposed roof of the annexe would be visible above the boundary but it would not cause harmful loss of light or outlook due to the positioning in relation to this neighbouring dwelling. No windows face the proposal at ground floor level within this neighbouring dwelling. In conclusion, the proposal is not considered to cause a harmful loss of light, outlook or privacy, and would not be overbearing. Any impact is considered to be limited and acceptable.
- 7.10 To the south is no.51 Oaktree Drive. This dwelling is around 10m from the front elevation of the proposal. Due to the distance and orientation of the dwellings, the proposal is unlikely to have a significant impact on light, outlook or privacy and would not be overbearing. Therefore, any impact on this dwelling is likely to be limited and acceptable.

(iv) Ecology

- 7.11 The Council's Ecologist was consulted on the application, requested no further details and raised no objection. It is noted that the application site is located within a priority habitat of wet woodland, however the minor scale of the development indicates that it would not adversely affect this habitat.

(v) Trees

- 7.12 Hampshire County Council Arboricultural Consultancy were consulted on the application and requested that more consideration needed to be given to T1 and the impact that the proposal may have on this tree. After discussion and amendment to the Planning Statement, it was agreed that the retained RPA would be improved by either soil amelioration or rediverting rainwater, or similar proposals. An Arboricultural Method Statement is required by pre-commencement condition.

(vi) Parking

- 7.13 The proposed plans show 5 spaces for vehicles, which accords with the requirements within the Havant Borough Council Parking SPD.
- 7.14 Consequently, it is considered that the proposal will not appear overbearing or lead to a loss of light, outlook or privacy and would have limited and acceptable impact on the properties immediately adjacent to the application site and the properties opposite or to the rear, meeting the requirements of Policy CS16 of the HBLP (Core Strategy). It is noted no letters of objection were received with respect to the scheme.

8 Conclusion

- 8.1 The proposed development is acceptable in principle, is appropriate in terms of design and its impact on the character of the area, and would have a limited and acceptable impact on the neighbouring properties. On this basis it is recommended for approval.

9 **RECOMMENDATION:**

That the Head of Place be authorised to **GRANT PERMISSION** for application APP/24/00384 subject to the following conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Uploaded 23 Aug 2024	AMENDED PLANNING DESIGN AND
ACCESS STATEMENT Rev A	
Uploaded 23 Aug 2024	23010-PL02 REVB AMENDED
PROPOSED PLANS, ELEVATIONS AND SITE PLAN	
Uploaded 22 May 2024	AERIAL TREE INSPECTION 2nd August
2023	
Uploaded 22 May 2024	23010-PL03 REV A PROPOSED
PARKING ARRANGEMENTS	
Uploaded 27 Aug 2024	AMENDED ARBORICULTURAL REPORT

AUGUST 2024

Uploaded 27 Aug 2024

23010 AO7 C AMENDED TREE

PROTECTION PLAN - PROPOSED

Reason: To ensure provision of a satisfactory development.

- 3 The external materials used shall match, in type, colour and texture, those of the existing building so far as practicable.

Reason: In the interests of the amenities of the area and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 Prior to commencement, an Arboricultural Method Statement shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the agreed Arboricultural Method Statement.

Reason: To ensure that the construction process for the development will minimise any adverse impact on trees and therefore maintain the character of the area, having due regard to policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 The annexe hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of the existing dwelling and shall not be used as a separate independent unit of accommodation, or let or rented out separately. In addition, the outdoor amenity space shall not be subdivided.

Reason: The unit of accommodation is not in a satisfactory position and has insufficient outdoor amenity space and access to be occupied separately from the main dwelling having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.