
Site Address: 5 Elm Road, Havant, PO9 2SZ
Proposal: First floor extension over existing side extension, replacement porch, extension to garage to form an annex, proposed cladding, rear extension and replacement windows.
Application Type: Full Planning Permission
Application No: APP/23/00386 Expiry Date: 16/08/2023
Applicant: Mr Rutledge
Agent: Ms Sarah Roberts Case Officer: Tina Pickup
 Critchley Architecture And
 Design (CAAD) Ltd
Ward: St Faiths

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site relates to a detached two storey dwelling located in the Wade Court residential area, accessed off a private drive at the end of the Elm Road cul-de-sac. The property is tucked away in a corner such that it is not seen from the street scene. It is constructed of a dark multi brick beneath a dark tiled gable ended roof, with red tile hanging on the first floor front elevation. The dwelling has a single storey flat roofed extension across part of the rear and a lean-to style with steep pitch, small extension on the western side elevation. There is also a double garage to the front of the property.
- 1.2 The site is relatively flat and bounded by a mix of fencing, walls and shrubs. The Wade Court area is not adopted and features private roads characterised by low density detached dwellings of a mix of design but all of traditional materials, set in a verdant setting with many trees and hedges, some of which are TPO'd, though none are protected on this site. There is a public right of way running along the rear of the site.
- 1.3 The applicant owns the main site, but access is required off the shared area in front of number 4 Elm Road and the ownership of this land is not known and classified as Bona Vacantia land. Therefore Certificate C has been completed and the appropriate advert placed in the local paper.

2 Planning History

None relevant

3 Proposal

First floor extension over existing side extension, replacement porch, extension to garage to form an annex, proposed cladding, rear extension and replacement windows.

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)
DM10 (Pollution)
DM13 (Car and Cycle Parking on Residential Development)

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**

Countryside Access Team

There are specific legislative requirements for the Highways Authority, Planning Authority, Developers and Landowners with respect to the PROW network. Where no changes are proposed to Public Rights of Way, the Planning Authority shall be aware of the following, and we request that the applicant is made aware of the following requirements through informatives where appropriate.

- see full response for list of 7 requested Informatives

Officer comment - proposal does not affect PROW to rear and considered only necessary to add standard PROW informative as 7 listed overly detailed

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: 9

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 0

Comment	Officer Comment
None received	

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 and annexe use
- (ii) Appropriateness of design and impact on the character of the area
- (iii) Effect on neighbouring properties
- (iv) CIL

(i) Principle of development and annexe use

7.2 The application site is located within the defined urban area, therefore development is considered acceptable in principle subject to development management criteria.

7.3 The proposed extension to the rear of the garage would result in a 1 bedroomed annexe with all the facilities to be independently occupied. Furthermore being sited at the front of the dwelling, pedestrian access to the annexe would not be reliant on entering the main house, although it would be via the private garden of the main house and a side gate within the garden wall. The applicant has indicated that occupiers would be family when visiting and has been advised that occupation needs to be on an ancillary basis with occupiers related to and having a functional link with the main house.

7.4 Whilst there is some risk that the annexe could be occupied separately, a planning condition ensuring ancillary only occupation could be enforced against in the future. Given the tight relationship with the private garden area of the main house, then on balance it is considered that occupation of the annexe would be genuine and controllable.

(ii) Appropriateness of design and impact on the character of the area

7.5 The garage addition would follow the eaves and ridge line of the garage and infill the south-eastern corner of the garden, and as such would be tucked behind the existing garage and not be visible from any public place. It would be constructed of brick to match and is considered to be visually appropriate to the character of the area.

7.6 The works to the main house would involve making the existing small single storey side extension two storey, which would follow the eaves line but with a lower ridge. Being set back from the front this would remain an appropriately subservient side extension. To the rear the existing single storey extension would be enlarged in width to link with the rear of the side extension. This would be flat roofed with roof lights. A replacement front porch is also proposed, which would have a pitch roof and be of an appropriate scale to the front facade.

- 7.7 Overall the size and scale of the additions are considered appropriate. However lengthy negotiations have taken place over the materials to be used. The existing windows, gutters etc are dark brown and it is proposed to change all windows and doors to black. This change in isolation is considered acceptable as the fenestration is already dark and would remain dark, with minimal visual impact as a result of the change. But as originally submitted grey cladding was proposed to replace the tile hanging, and for use on the first floor side with a mix of grey cladding and standing seam walls on the single storey extension. Overall the combination of these materials would have changed the appearance into a grey toned contemporary property which, in this traditional area of Wade Court was considered inappropriate and out of character. There are no other examples of contemporary grey materials in the Wade Court area with the overriding character of the area being warm muted reds and browns.
- 7.8 The applicant has sourced lots of samples of various cladding and it has been agreed to use Ecoscape's Spiced Oak Composite Cladding instead - with flat panels at first floor and the front, with slatted panels on the rear single storey extension. This has the appearance of a warm red/brown cedar colour which, with the black fenestration, will give the applicant the contemporary look he desires whilst still respecting the overall palette of reds and browns in the area. The plans have been updated to show the use of the Spiced Oak cladding.
- 7.9 With the use of the agreed materials it is considered that the design and appearance of the proposal is deemed appropriate in context to the wider area and main building, and is therefore considered to be acceptable, meeting the requirements of Policy CS16 of the HBLP (Core strategy). In respect of the protected tree, it is located beyond the rear boundary of the application site. Given the scale and nature of the construction works, and the location of the tree, it is not considered that the development would cause harm to the tree and its roots. 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

- 7.10 The two storey addition is modest in scale and has no first floor side windows to have any detrimental impact on neighbours. The addition to the garage for the annexe would be up to the shared boundary with number 6 Elm Road and effectively result in additional bulk and roof along the entire side boundary of their garden. Number 6 has itself a converted garage and a glazed conservatory close to the shared boundary. The proposal would result in some additional sense of enclosure to this part of the garden but because it would be due north of number 6 it would result in minimal loss of light or overshadowing. A roof light is proposed in the southern roof slope, but would be above eye height and would be obscure glazed. Overall, whilst there would be some impact on perception of being overlooked and hemmed in, in reality there would be minimal actual harm to amenity to justify a reason for refusal.
- 7.11 Overall 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.

(iv) CIL

- 7.12 As a detached annexe the floor space of the proposed building is CIL liable. The floor space of 33.45 sqm results in a CIL liability of £4,240.98 but Annexe Relief has been claimed. The Draft Liability Notice has been sent to the agent.

8 Conclusion

- 8.1 The proposed development is acceptable in principle, and with negotiated materials would continue to respect the character of the area, and would have a limited and acceptable impact on the neighbouring properties. The use of the annex can be conditioned to be ancillary only to enable future control. On this basis it is recommended for approval.

9 RECOMMENDATION:

That the Head of Place be authorised to **GRANT PERMISSION** for application APP/23/00386 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:

Location and Block Plan - Drawing Number - 101 Rev B
Proposed Floor Plans - Drawing Number - 401 Rev C
Proposed Annex (Garage) Floor Plans & Section - Drawing Number - 402 Rev C
Proposed Annex (Garage) Elevations - Drawing Number - 502 Rev C
Proposed Elevations - Drawing Number - 501 Rev F

Reason: To ensure provision of a satisfactory development.

- 3 The annex accommodation 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 unit of accommodation.

Reason: The siting and context of the unit of accommodation is not appropriate to be occupied separately from the main dwelling and having due regard to policies CS16 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 The external materials used shall be as indicated on the hereby approved plans, and shall include use of Ecoscape UK's Spiced Oak Composite Panel Cladding Board, and Spiced Oak Composite Slatted Cladding Board unless otherwise agreed in writing with the Local Planning Authority. All other materials shall be as indicated on the submitted forms and hereby approved plans, or 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.

- 5 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, prior to first occupation of the annex extension to the garage hereby permitted, the roof light window in the southern roof slope shall be fitted with textured glass which obscuration level is no less than Level 4 of the Pilkington Texture Glass scale (or equivalent) and retained as such thereafter.

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