
Site Address: 3 Fishery Lane, Hayling Island, PO11 9NP
Proposal: First floor side extension to form linked annex over existing attached double garage and utility room including conversion of one garage space to provide independent ground floor access.
Application No: APP/20/01020
Applicant: Mrs Wallace
Agent: Mr Douglas
Jeffrey Douglas Chartered Architect
Ward: Hayling East
Expiry Date: 08/01/2021
Case Officer: Jane Burton

Recommendation: **REFUSE PERMISSION**

NOTE: Due to restrictions on site visits due to Covid-19 a case officer site visit to the rear of the site has not taken place. The site has been viewed from the public realm.

1 Site Description

3 Fishery Lane is a two storey semi-detached dwelling constructed of brick with a flat roof and projecting eaves, with an attached double garage and utility room to the side. The plot is irregular in shape, tapering to the rear to the east side. Due to the plot shape, no.3 is at an angle to no.5 Fishery Lane, the detached dwelling to the east. There is a parking area to the front, and garden to the rear approximately 12m in depth. The dwelling is attached to no.1 Fishery Lane to the west.

The surrounding area is residential in character, of medium density, with detached and semi-detached dwellings of mixed design and appearance. The site is in the urban area as defined by the local plan.

2 Planning History

88/52631 – First floor side extension over garage (REFUSED 25.01.1989)

Refused for the following reasons:

- 1. The proposal would result in development at a two-storey height across virtually the whole of the width of the plot, resulting in a loss of space about the building to the detriment of the visual amenities and spatial characteristics of the street scene.*
- 2. The proposed development would constitute an undesirable over-intensive use of the site which would have an adverse impact on the amenities of occupiers of adjoining properties.*
- 3. The proposal would involve the provision of an additional bedroom window on the rear elevation of the property which would result in an excessive amount of overlooking into the rear garden of the neighbouring property and would therefore have an adverse effect on the amenities of the occupiers of that property.*

32757 – Demolish existing single garage rear lobby and w.c, erect new double garage, utility area and w.c (PERMITTED 11.07.1985)

3 Proposal

The proposal is a first floor side extension above the existing double garage and utility room to form a self-contained annex. The extension would extend across the full width, tapering to the rear as the existing garage extension. The extension would be in line with the front building line, set down a little in height. One of the garages (the most easterly) would be converted to habitable accommodation forming the entrance to the proposed annex, and to the rear of this a shower room to the main dwelling. A separate entrance door to the annex would be added to the front elevation. The annex would comprise a living area with kitchenette, shower room and bedroom at first floor. The supporting statement to the application states that the purpose of the annex would be for the applicants daughter to move into to provide full time care to the applicant.

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)
DM13 (Car and Cycle Parking on Residential Development)

Havant Borough Local Plan (Allocations) July 2014

Havant Borough Pre Submission Local Plan 2036

E1* (High quality design)
H6* (Residential annexes)

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

5 Statutory and Non Statutory Consultations

Councillor Leah Turner - Hayling East
No comments received

Councillor M Wilson - Hayling West Ward
No comments received

Councillor R Raines - Hayling East
No comments received

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: 4

Number of site notices: Not applicable.

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) Car parking provision

- (i) Principle of development

- 7.2 The site is located within the defined urban area where the principle of further development is acceptable subject to the usual development management criteria.

The proposal is similar in size and scale to the refused scheme under 88/52631, - the current scheme differs in some aspects of its appearance and would be for use as an annex. This previous refusal is a consideration, but due to the time since this decision the current proposal must also be considered in the context of the current street scene and policy.

The currently adopted plan has no specific policy on annexes, - there is an emerging policy in the Council's Submission Local Plan (policy H6), - however the provision of annex accommodation is acceptable in principle. In this case the proposed occupier of the annex would be a family member, and there is a linking door between the main dwelling and the annex. Thus it is considered that the application demonstrates a functional and physical connection between the main dwelling and attached annex, having regard to the criteria set out in emerging policy H6.

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

- 7.3 Policy CS16 states that proposals should respond to, draw inspiration from and respect local context, and amongst other requirements, ... respond positively to local character, and use the characteristics of the locality to help inform the design.

Paragraph 5.35 of the Borough Design SPD sets out that *'in general an extension should not be bigger than the main dwelling and therefore should appear smaller in mass and height'*. In addition paragraph 5.37 sets out, in respect of side extensions

that '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'

Table 4.1 of the Borough Design SPD states that *'The gaps between buildings, or the lack of gaps between buildings plays an important part in forming the character of the area'*

No.1 and no.3 Fishery Lane form a pair of semi-detached dwellings. Whilst no.3 has been extended by garages at single storey height, and no.1 and no.3 have both had some alterations, the original design of the dwellings is still considered to be clearly discernible and there is balance to the pair. Whilst the proposed extension has some setting down of the roof line, due to the first floor extension being at full-width and in-line with the existing front elevation of the house it would not appear subservient and would unbalance the pair as viewed from the street. Due to the addition of front entrance door/porch to the annex and retention of the central garage, the proposal is also considered to give the appearance of a separate third dwelling as viewed from the street, to the detriment of the appearance and legibility of the building. Details such as the differing depth of windows at first floor also add to this appearance and are not considered to relate well to the existing fenestration. The proposal would utilise the full extent of the footprint size of the garage/utility room at first floor height, including tapering to the side/rear, and extending to near the full width of the plot. This is considered to result in a contrived design to fit to the plot shape which would appear evident at 2 storey height.

Dwellings in the vicinity on Fishery Lane are mainly detached and semi-detached, but generally there is space between the buildings at first floor height. The proposal would significantly reduce the gap at first floor height between no.3 and no.5 Fishery Lane. This is not considered to respect the spatial characteristics of this part of Fishery Lane, and is considered to detract from the character and appearance of the area.

Overall, as a result of its first floor height, its width and design, it is not considered that the extension would appear subservient to the existing dwelling. The proposal would detract from the design and appearance of the dwelling and the pair of dwellings (no.1 and no.3 Fishery Lane). The extent of the reduction of the gap at first floor height between no.3 and no.5 Fishery Lane is not considered to respect the spatial characteristics of this part of Fishery Lane. The proposal is considered to detract from the character and appearance of the building and street scene contrary to policy CS16 of the HBC (CS) and guidance contained in the Borough Design SPD and it is recommended that planning permission is refused for this reason.

(iii) Effect on neighbouring properties

- 7.4 The proposal would result in one additional bedroom at the site, and there is considered to be sufficient amenity space. Overall it not considered to result in an unacceptable intensification of the site that would be detrimental to neighbours.

The proposal is to the east side of the building and not considered to have an unacceptable impact on the amenities of no.1 Fishery Lane.

The proposed extension would not extend beyond the rear elevation of no.5 Fishery Lane and there are no side windows on the west (flank) elevation of no.5. Hence it is not considered that unacceptable overbearing or overshadowing would result.

However, there would be a rear facing first floor window to serve a bedroom of the annex, and due to the tapering of the site this would result in a view being afforded toward the garden space of no.5. The position of this proposed window is similar to that of a rear facing bedroom window on the refused scheme reference 88/52631, with overlooking cited as a reason for refusal. A site visit to view the rear of the site has not been possible under this application due to Covid-19 restrictions; thus it is acknowledged that it has not been possible to assess any potentially mitigating factors such as tree or high vegetation on site which may now block or sufficiently filter any views. However it is considered that, based on known information, the proposal would have a similar relationship to the proposal refused under reference 88/52631, and thus some adverse impact on the occupier of no.5 by reason of loss of privacy may be likely to result. Thus it is recommended that this adverse impact should form a secondary reason that planning permission is refused, due to being contrary to policy CS16 of the HBC LP (CS). Should there be mitigating factors such as high vegetation not known presently known to the case officer, but visible in the event of an appeal of the planning decision, then it is considered that this secondary reason for refusal may be removed at that stage.

(iv) Car parking provision

- 7.5 The proposals would increase the number of bedrooms from 3 to 4, and thus the off-street parking requirement would be 3 car parking spaces to accord with the Councils Parking Standards. It is noted that there are double yellow lines to this part of Fishery Lane, so no on street parking is available in this area. Whilst no parking plan has been received with the application one garage space would remain and the supporting statement states that there are 2 further vehicle parking spaces to the front of the building. The parking provision is thus considered to be sufficient having regard to policy DM13 of the HBC LP (CS).

8 Conclusion

- 8.1 The provision of an annex is acceptable in principle, and in this instance the proposal is considered to demonstrate a functional and physical link to the main dwelling having regard to emerging policy H6. However the proposal is not considered to be acceptable on other Planning grounds. The proposed extension by reason of its width, height and design, and reduction in the first floor gap between no.3 and no.5 Fishery Lane, is considered to be detrimental to the character and appearance of main dwelling, the pair of (no.1 and 3 Fishery Lane), and the area contrary to policy CS16 of the HBC (CS) and guidance contained in the Councils Design Guide. In addition, it has been concluded that the proposed rear bedroom window would likely result in an adverse impact on the amenities of no.5 Fishery Lane by reason of overlooking into the garden contrary to policy CS16 of the HBC (CS). As such it is recommended that planning permission is refused for the above reasons.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **REFUSE PERMISSION** for application APP/20/01020 for the following reasons

- 1 Due to its combined width, first floor height, and design, the proposed extension would not appear subservient and would not be sensitive to the design and appearance of the existing dwelling and pair of dwellings (No's 1 and 3 Fishery Lane). In addition, the extent of reduction of the gap at first floor height between No. 3 and No. 5 Fishery Lane would not respect the spatial characteristics of this part of Fishery Lane. Due to the above factors the proposal would detract from the character and appearance of the building and street scene contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, guidance contained in the Havant Borough Design Guide SPD 2011 and the National Planning Policy Framework.
- 2 The proposed rear facing bedroom window in the proposed annex would be likely to result in overlooking into the rear garden of the neighbouring property (No.5 Fishery Lane), which would have an adverse effect on the amenities of the occupiers of that property contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, guidance contained in the Borough Design Guide SPD and the National Planning Policy Framework.