

Recommendation: **GRANT PERMISSION**

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Councillor Gary Hughes

No comment

Councillor Husky Patel

No comment

Councillor Ms C Howard - Purbrook Ward

No comment

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: 6

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
Comment: There are several concerns with regard to the proposed two storey extension at 23 The Dale as listed in respect of natural daylight and sunlight being obstructed at the back of 21 The Dale from both the ground floor level and the first floor level. 1. The size and dimensions (width and height) of the proposed additional bedroom/en-suite at No 23 will infringe our legal rights to light from our back bedroom, which is used as our main bedroom and where we always sleep. 2. Although the 45 degree rule is being abided by, the size (height/width) and dimensions of the first floor extension will significantly reduce the natural daylight and sunlight that currently enters the back bedroom of No 21. 3. The first floor extension at No 23 will also block and impede the current view enjoyed from the back bedroom of No 21. The back bedroom at No 21 was chosen as the main bedroom because of the views of back gardens/shrubs/trees of the Dale/Park Avenue, instead of the view of the road/adjacent houses in The Dale seen from the front bedroom.	Please see 'Planning considerations' section of the report.

The view from the back bedroom window of No 21 would be of their proposed first floor extension - significantly different to that currently enjoyed. One of the main reasons for moving to The Dale was to have and enjoy more space, not to be too close to neighbours, nor be surrounded by more buildings right on top of one another and within far too close a proximity.

4. The size/dimensions of the proposed first storey extension of No 23 will cause shadowing and reduced natural daylight/sunlight from the single storey extension at the back of No 21 as it will be far too close and there will be insufficient distance from the proposed 2 storey extension at No 23 to the back of the property at No 21.

5. The ground floor extension at No 21, with the largest roof Skypod possible for its dimensions, has been constructed with the main purpose of maximising the natural daylight/sunlight into a room at the back of the house, thereby significantly increasing the amount of natural daylight/sunlight, especially during the Autumn/Winter months. The proposed first floor extension at No 23 will significantly reduce the amount of natural daylight/sunlight in this new room, which will affect the main reason for obtaining planning permission for the extension at No 21, leaving the owners in the exact same situation as if it had not been built at all at a significant expenditure.

6. As the sun rises in the East, the first floor extension at No 23 will significantly reduce the natural daylight/sunlight that would reach the back of No 21 each day in the morning, and as the sun is lower during the Winter months this would have a far more significant impact at the back of the property at No 21 for a significant period of time

7. Direct sunlight is brighter than ambient daylight, but the sunlight would be greatly affected at No 21 by the proposed first floor extension at No 23.

8. The distance of the proposed first floor extension from the boundary line of the adjoining properties of No 21 and 23 is very close to the property of No 21 and the close proximity of the proposed property at No 23 will increase the shadowing over the ground floor extension and the rear of the property at No 21.

9. One resident at No 21 is self-employed and when working from home requires a room that has a lot of natural daylight/sunlight, ie the new extension room at No 21, to work from. The two storey extension at No 23 will have a negative

impact on having achieved this aim, as the proposed 2 storey extension at No 23 will block the natural daylight/sunlight in the mornings and especially during the Autumn/Winter months.

10. The proposed 2 storey extension plans for No 23 show that the window in the current back bedroom will be moved closer to the boundary between the adjoining properties and a Juliet balcony from the proposed additional bedroom will overlook both properties. This raises concern in respect of privacy and being overlooked in the ground floor extension and back garden of No 21. A considerable amount of time is spent in the back garden, especially during the Spring/Summer, at No 21 as vegetables/fruits are grown, and the residents of No 21 are very private people - another reason for having moved to The Dale.

11. Neighbouring properties from No 21 and 23 either have a single storey extension, conservatory, or no extension, which is in keeping with the surroundings and takes into account what other neighbours already have in place. No 21, 19, 17, 27: single storey extension, No 25: no extension. No 15: 2 storey extension, but only the width of the bathroom/kitchen which does not significantly impact their adjoining neighbour.

12. The negative effect the proposed 2 storey extension at No 23 could have on No 21, should the property be put on the market, is of concern, as it could have a big detrimental effect on any proposed buyers not wishing to be overlooked/overshadowed/have reduced daylight and sunlight.

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) Parking
- (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 This proposal comprises a two storey and single storey extension to the rear featuring a juliet balcony as well as a side dormer and side elevation roof lights. The rear extension would have a pitched roof with a catslide roofslope to one side in continuance with the existing roof slope. On the side closest to the adjoining property the two storey element would be stepped in by approximately 1.5 metres, where the height would be lowered, stepping down to single storey level. The two storey extension would have a ridge height of approximately 6.8 metres and the single storey element would have a monopitched roof with a height of approximately 3.6 metres and a raised rooflight. The extensions would have a total depth of approximately 4 metres and would span the width of the existing building. The extension space would create a kitchen diner at ground floor level with bi-fold doors and a window to the rear elevation, a window is also proposed to the ground floor which would serve the kitchen. The first floor element would create an additional bedroom and ensuite which would be served by a juliet balcony and window to the rear elevation and a rooflight to the east elevation roof slope.
- 7.4 The side elevation dormer is proposed to the east elevation roof slope and would create the space for the rear ensuite and would feature a window which would be obscure glazed. The dormer would have a width of approximately 3.6 metres, a depth of 1.9 metres and a height of approximately 1.8 metres. It would have a flat roof and would be constructed from hanging tile to match existing. Other elements of the proposal include alterations to fenestration, the window serving bedroom 2 to the rear would be moved closer towards the shared property boundary and an extra rooflight would be located on the east facing roofslope above the first floor landing. Materials proposed include white render and tile hanging to match existing.
- 7.5 The proposals would be located toward the rear of the property and largely sited away from the public realm. The proposed dormer would be located behind the existing side dormers and is judged to be generally subservient in scale and design, within the context of the property and surrounding properties, where dormers form a feature of the roof slope. The proposed extension would have a ridge height below that of the main roof, and would mirror the existing roof style. Whilst it is noted there is not much two storey development along this row of properties, and would be visible from the rear of surrounding dwellings, the design is judged to be in keeping with the existing property and would not be unacceptable in terms of visual harm.
- 7.6 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

- 7.7 To the east of the application site is no 25 The Dale. This property forms part of a semi-detached pair with no 27. The extension would be sited approximately 3 metres off the side boundary shared with no 27 and there would be a total of approximately 7 metres separation distance between the two properties. The extension is not judged to result in considerable mass and bulk in close proximity to the boundary and is not deemed overbearing or to result in harmful overshadowing. The proposed dormer window would be obscured and non opening to 1.7 metres above finished floor level and rear pitched rooflight would be set at high level.
- 7.8 To the west of the application site is no 21 The Dale which is the property adjoining the application property. No 21 has a set of doors to the rear elevation set close to the

shared boundary which serve a dining room and an upstairs window serving a bedroom. It is noted that planning permission was granted in 2019 for a single storey rear extension under application reference APP/19/00495. Although planning permission is in existence, no construction has taken place at present and therefore impact of this proposal can only be judged on what is currently there. Due to the set in of the proposed two storey extension, the 45 degree line taken from the mid point of the upstairs window at no 21 would be grazed by this proposal and whilst it would have some impact on the views from this bedroom window when looking out towards the east, impact upon views is not a material planning consideration, only impact upon light or overshadowing, which, in this case is not deemed harmful as it would sit approximately on the 45 degree line. Whilst the single storey extension would breach the 45 degree line of the ground floor doorway at no 21, this would be set at single storey level and is not deemed to result in substantial harmful overshadowing to justify a refusal.

- 7.9 The proposed juliet balcony would have views directly down the rear garden of the site and is not deemed to result in increased overlooking to neighbouring properties - the 22 metres rear garden length is judged to mitigate against any increased overlooking towards the rear of the site. Whilst the first floor window would be moved closer to the boundary shared with no 21, this is not deemed to cause any significant increased overlooking than the existing first floor window.
- 7.10 Consequently, it is considered that the proposal will not appear overbearing or lead to overlooking 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).

(iv) Parking

- 7.11 The bedroom number would be increasing from 3 to 4 as a result of this proposal. Whilst a parking plan has not been provided, there appears to be adequate parking to the front and side of the site to allow for the 3 parking spaces required as stipulated in the Havant Parking SPD.

(v) CIL

- 7.12 This proposal would not result in 100 m2 additional floorspace and therefore would not be CIL liable.

8 Conclusion

- 8.1 The scale, siting and design of the proposal would have limited and acceptable impact on the neighbours and is therefore considered to be appropriate and recommended for approval.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/20/01177

(A) 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:

A101 Existing plans/location plan

A102 REV B Amended plans and elevations

Reason: - To ensure provision of a satisfactory development.

- 3 The external materials used 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.

- 4 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, prior to first occupation of the extension hereby permitted the bathroom window in the first floor on the side elevation dormer facing east shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and 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 nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.