

**TOWN AND COUNTRY PLANNING
ACT 1990 (AS AMENDED)**

**STATEMENT OF
HAVANT BOROUGH COUNCIL**

**Hayling Garage, 2-4 Church Road,
Hayling Island**

**Local Planning Authority Reference:
APP/20/00315**

Planning Inspectorate Reference:

APP/X1735/W/20/3264502

HAVANT BOROUGH COUNCIL

TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)

APPEAL BY MR MARK GATES AGAINST THE DECISION OF HAVANT BOROUGH COUNCIL TO REFUSE TO GRANT PLANNING PERMISSION FOR SINGLE STOREY SIDE EXTENSION TO CREATE A WORK SHELTER (RETROSPECTIVE APPLICATION) AT HAYLING GARAGE, 2-4 CHURCH ROAD HAYLING ISLAND

Planning Inspectorate Reference: APP/X1735/W/20/3264502
LPA REF: APP/20/00315

1.0 THE APPEAL SITE AND ITS SURROUNDINGS

- 1.1 2-4 Church Road comprises a workshop and car garage which is located on the corner of Church Road and Tournerbury Lane in the southern part of Hayling Island as shown on the attached Borough Map and Location Plan (Appendix A and B)
- 1.2 The main building is of brick construction with render at ground floor level. The application site includes a car showroom forecourt located to the West of the garage building, bordering the public highway along Church Road as well as to the South, bordering Tournerbury Lane. There is a low brick boundary wall along this perimeter which runs parallel to the site where the side extension/ work shelter has been provided and is the subject of this retrospective application /appeal. The work shelter is currently in full use although the application was refused permission on the 25th June 2020 and in 2010 a similar proposal had previously been refused planning permission (see planning history below).
- 1.3 There is some variation in building usage in the surrounding area, including the co-op retail unit on the opposite side of Tournerbury Lane. To the north and east, including Tournerbury Lane are residential properties.

2.0 PLANNING HISTORY

10/51526/003 - Single storey side extension (south.), REFUSED, 21/06/2010. A copy of the floor plans, elevations and Decision Notice are attached at APPENDIX C.

APP/20/00032 - Retrospective application for single storey side extension to create work shelter., REFUSED, 06/03/2020. A copy of the floor plans, elevations and Decision Notice are attached at APPENDIX D. The main differences between the current application and this application is a height reduction by 0.5 metres and alteration to white pvc cladding.

CMP/19/00258 – Alleged breach within the last 4 years and without planning permission the erection of a single storey side extension to commercial garage (South elevation)- Enforcement notice served on the 11/03/2021

3.0 THE APPLICATION

3.1 The application the subject of this appeal was submitted on the 21st April 2020. Consultations were carried out and a response received from Hampshire County Council as the Highway Authority.

3.2 The application was subsequently refused for the following reasons:

1. *Development of the site in the manner proposed and on the basis of the information available would not provide adequate provision for car parking in accordance with the Local Planning Authority's adopted standards and would therefore encourage the parking of vehicles on the public highway, leading to indiscriminate parking, detrimental to amenity. The proposal is therefore contrary to policies CS16 and DM14 of the Havant Borough Local Plan (Core Strategy) 2011, the adopted Havant Borough Council Parking SPD 2016 (partially updated September 2019) and the National Planning Policy Framework.*
2. *The proposed side extension by virtue of its position, design, materials and visibility from both Church Road and Tournurbury Avenue, is considered overly bulky and harmful to the character of this mainly residential area. The proposal is therefore considered to harm the visual appearance of the streetscene and the proposed development would be detrimental to the character and visual amenities of the area. The proposal is therefore contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Havant Borough Council Borough Design Guide SPD 2011 and the National Planning Policy Framework.*

3.3 The Officer report is attached at APPENDIX E and sets out in detail the planning considerations relevant to the case.

4.0 PLANNING POLICIES

National Policy

4.1 The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.

Local Planning Policy

4.2 Havant Borough Local Plan (Core Strategy) March 2011 policies CS16 (High Quality Design) and DM4 (Car and Cycle Parking on Development (excluding residential) are considered particularly relevant to this appeal.

4.3 Havant Borough Council Borough Design Guide SPD December 2011 sets out relevant design considerations in relation to planning applications.

4.4 Havant Borough Council Parking SPD July 2016 (Partially updated September 2019) sets out Havant Borough Council's off-street parking standards relating to new development in the Borough.

- 4.5 The relevance of the policies and guidance is considered further in part 6 of this Appeal Statement.

5.0 REPRESENTATIONS

- 5.1 Representations objecting to the proposal and one of support were received in relation to this application and these have been forwarded to the Planning Inspectorate. They are also summarised in the Officers Report at APPENDIX E. It is noted that many of the concerns raised relate to parking issues in Tournurbury Lane.

6.0 PLANNING CONSIDERATIONS

- 6.1 The attached officers report (**APPENDIX E**) sets out the position of the Local Planning Authority in detail and the following comments are provided by way of amplification.
- 6.2 Planning law requires that applications for planning permission must be determined in accordance with the development plan (the Core Strategy and the Allocations Plan), unless material considerations indicate otherwise.

First Reason for Refusal

- 6.3 In relation to the first reason for refusal the NPPF Part 9 relates to promoting sustainable transport, stating in paragraph 102 e):

e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.

Paragraph 105 considers the setting of local parking standards including for non-residential development.

- 6.4 Policy CS16 of the Havant Borough Local Plan states that:

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:

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;

2. Produces a positive relationship between buildings, street and spaces both existing and proposed, where:

a) The layout of the development reduces opportunities for crime and antisocial behaviour; contributes to improving community safety; and makes provision for the management and maintenance of the development;

b) New streets are not dominated by vehicular traffic;

6.5 The Local Planning Authority are concerned that the extension further impacts limited and congested parking on site and results in further on street parking which is causing impacts on residents in the immediate area. This encourages the parking of vehicles on the public highway, leading to indiscriminate parking, detrimental to amenity.

6.6 Policy DM14 states:

DM14 Car and Cycle Parking on Development (excluding residential)

Development will only be permitted where it provides parking for cars, motor cycles and cycles in accordance with the relevant standards. Such parking provision must be appropriately located in relation to the development and be practical for its intended use.

6.7 The Parking Standards are set out in the Havant Borough Council Parking SPD July 2016 (Partially updated September 2019).

6.8 To avoid repetition, the attached Officer's report (**APPENDIX E**) sets out in detail the planning position of the Local Planning Authority (LPA) in respect of the appeal. The appellants appeal submission states that the historical parking issues should not be a material planning consideration, however, the site would be further intensified with increased usage, the extension also removes potential parking areas exacerbating existing parking issues. The appeal submission also states that parking standards as specified in the Havant Parking SPD had been met. The spaces proposed do not meet the parking standards requirements. The submission also states in 'Additional Information' that a parking plan was provided – the lack of plan in which the case officer alludes to in the reason for refusal and 'Parking' section of the report refers to a full site plan with all parking spaces shown on site. This plan was never provided.

6.9 An Aerial photo is included in **Appendix F** to demonstrate parking on site.

Second Reason for Refusal

6.10 The second reason for refusal relates to the visual impacts of the development with concerns raised with regard to its position, design, materials and visibility from both Church Road and Tournurbury Avenue, is considered overly bulky and harmful to the character of this mainly residential area. The proposal is therefore considered to harm the visual appearance of the streetscene and the proposed development would be detrimental to the character and visual amenities of the area.

6.11 The importance of high quality design is set out in the National Planning Policy Framework (NPPF) which states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Policy CS16 of the Local Plan advises that all development should demonstrate in its design that it responds to, draws inspiration from and respects local context and in section 1.c. advises that it uses the characteristics of the locality to help inform the design of the new development including heights, massing, existing building lines, plot widths and depths, materials and proportions of windows and doors.

The Havant Borough Design Guide has guidance in relation to extensions. Whilst this proposal is not a residential extension, the guidance is still applicable. The Design Guide states that extensions should :

- 6.12 *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.*
- 6.13 *Single storey extensions, should also be more modest in scale than the main building and should not be allowed to dominate. In general, flat roofs are not acceptable. The roof of the extension should mirror that of the main building, in terms of its angle, eaves detail, materials, doors and windows. There may be exceptions to this rule, providing the results do not have an adverse affect on neighbouring properties or the streetscene.*

It is important to retain the gaps between buildings and a single storey extension should be in keeping with the local pattern of development, looking to immediate neighbours first. Single storey extensions should therefore be at least 1 metre from the boundary with adjacent properties.

The appeal submission states that it would be incorrect to describe the retrospective workshop as overly bulky due to the variation of other commercial use buildings in the area. Whilst there are examples of mixed building styles and uses in the area, the structure in question is not deemed in keeping with any existing precedent; neither commercial nor residential.

The Council's concern in relation to design are set out fully in the Officers Report at APPENDIX E.

7.0 CONCLUSION

- 7.1 It is considered that the proposed development would have a harmful effect on the character and appearance of the surrounding area, exacerbated by a prominent location within the streetscene of both Church Road and Tournurbury Lane. The proposal would appear overly bulky and out of keeping with the surrounding area, incorporating an industrial aesthetic which is not harmonious with what is generally a residential area. The parking standards have not been met and adequate on-site parking has not been demonstrated to alleviate concerns of increased vehicular parking pressure on residential streets. This proposal is therefore contrary to Policies CS16 and DM14, Havant Borough Design Guide, the Havant Parking SPD and the National Planning Policy Framework of the Havant Local Plan. The inspector is therefore respectfully requested to dismiss this appeal.

APPENDICES

APPENDIX A – Borough map

APPENDIX B – Location map

APPENDIX C – Decision notice for 10/51526/003

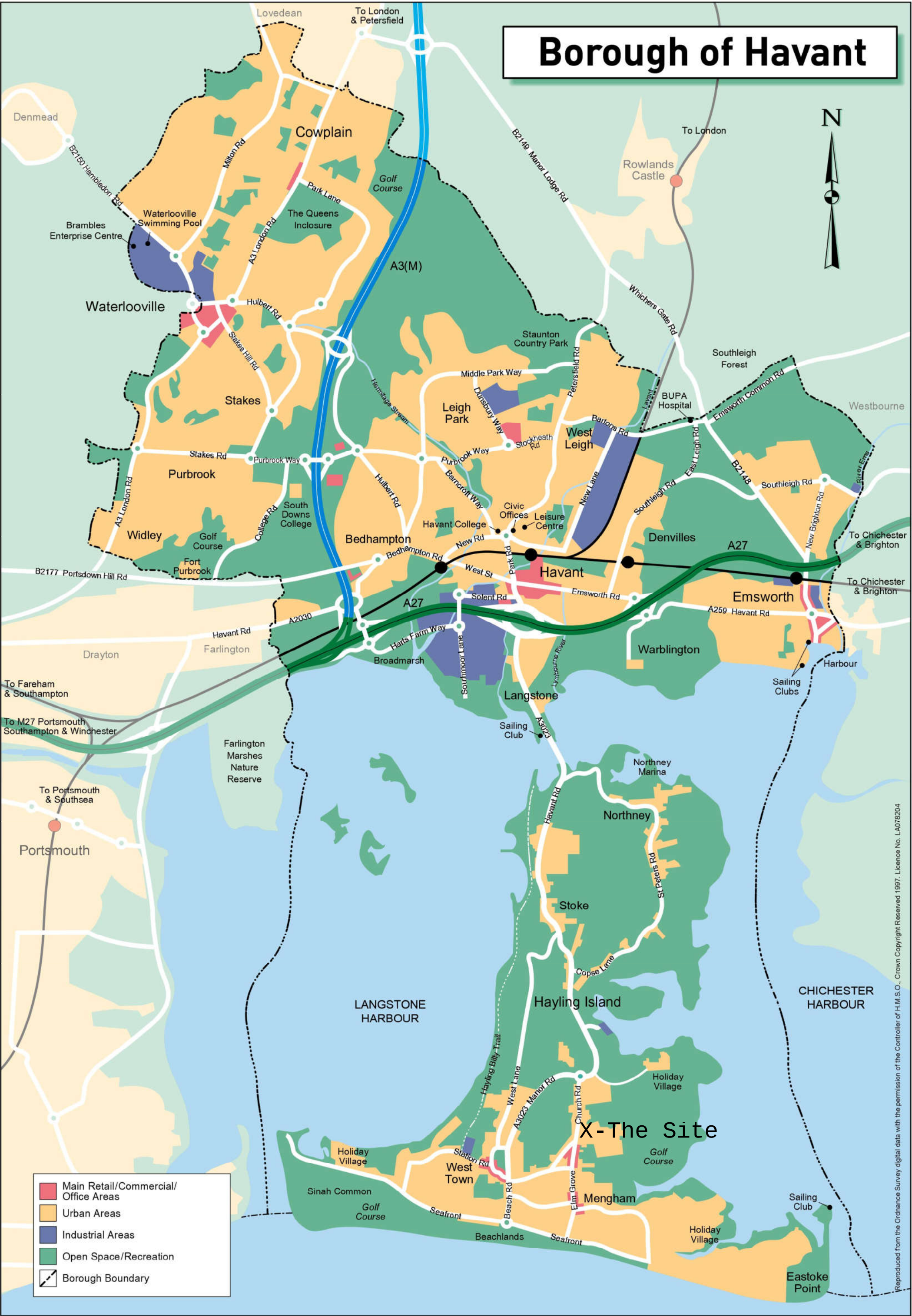
APPENDIX D – Decision notice for APP/20/00032

APPENDIX E – Officers report

APPENDIX F – Aerial View

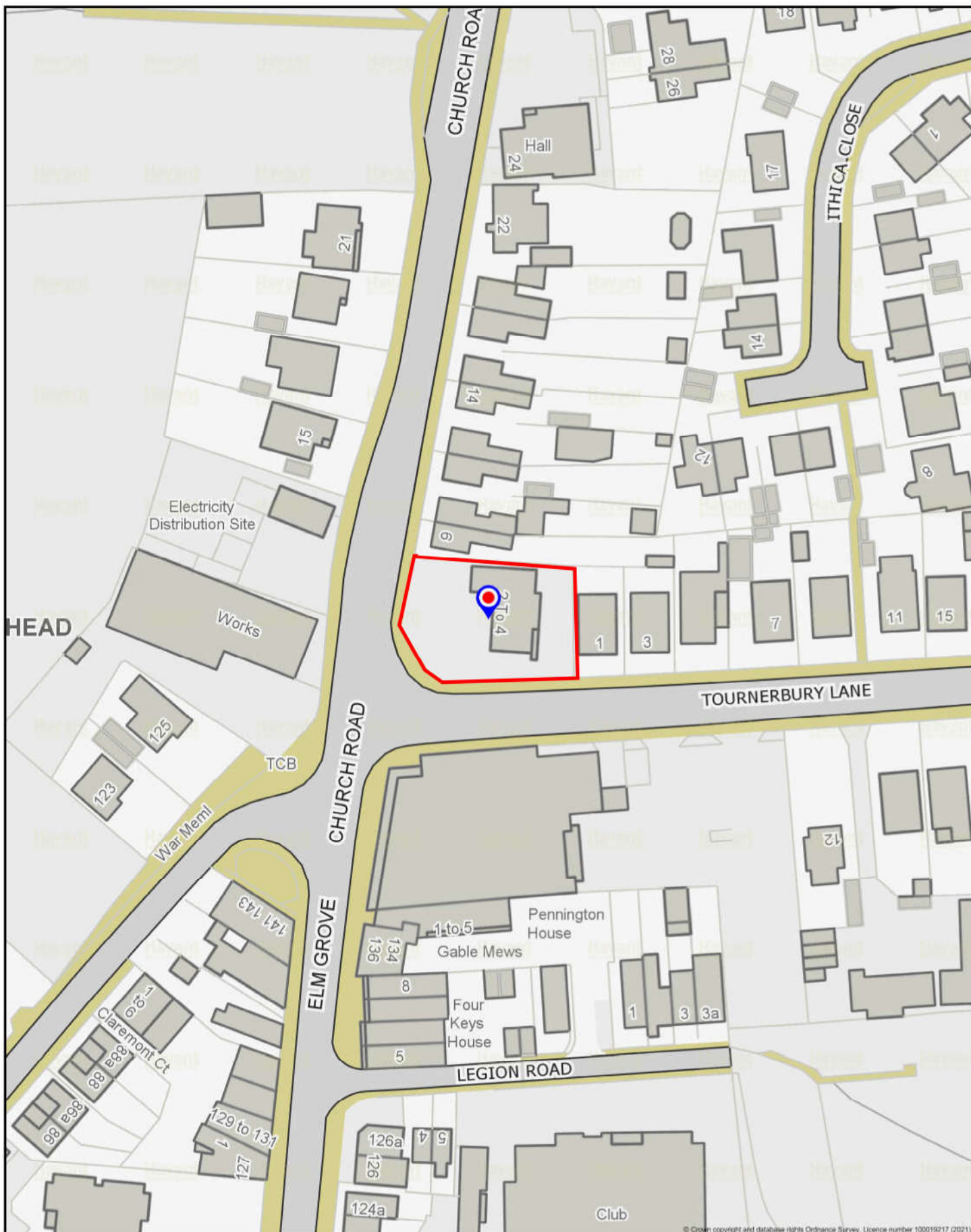
APPENDIX A

Borough of Havant



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APPENDIX B



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Hayling Garage, 2-4 Church Road, Hayling Island

Havant
BOROUGH COUNCIL



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APPENDIX C



Havant
BOROUGH COUNCIL

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To:
Mr P Malin
Pearson Ellis Portsmouth
37 Havant Road
Horndean
Hants
PO8 0DP

For: Mr T Pitney

THE TOWN AND COUNTRY PLANNING ACT 1990
Refusal of Planning Permission

Application Number: 10/51526/003

Site Address: Garage, 2-4 Church Road, Hayling Island, PO11 0NT

Proposal: Single storey side extension (south.)

Further to your application received on 04 January 2010, which was valid from 8 February 2010, Havant Borough Council as Local Planning Authority **Refuses Planning Permission** for the above proposal.

The reasons for the Council's decision to refuse Planning Permission are:

- 1 The proposed development by reason of its design, siting, prominent location and roofing materials would be an incongruous feature within the streetscene to the detriment of the visual amenities of the area and would therefore be contrary to saved Policy D1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, Policy BE1 of the South East Plan, and Planning Policy Statement 1.
- 2 On the basis of the limited information available to the Local Planning Authority it has not been demonstrated that the use of the proposed development would not be detrimental to the amenities of the occupiers of the adjacent residential dwellings and as such the development would therefore be contrary to saved Policies D1 and PC1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Statement 23.

In coming to its decision the Council considered plans and other documents submitted with your application and the saved policies of the Havant Borough District Wide Local Plan 1996-2011, forming part of the Havant Borough Local Development Framework.

Our Ref: 10/51526/003

Other Important Information:

- (1) This notice only relates to the decision of Havant Borough Council as Local Planning Authority under the Town and Country Planning Acts. It does not relate to any other application that may be required under the Building Regulations or under any other Act, Regulation, Byelaw or Order where the Council's approval may be needed. For further guidance as to the need for consent under the Building Regulations please phone 023 9244 6573.
- (2) Your attention is drawn to the attached information regarding firstly your right to appeal to the Planning Inspectorate, if you are aggrieved by the Council's decision, and secondly the rights of an owner to, in certain circumstances serve a purchase notice on the Council. See www.planningportal.gov.uk/pcs.

S. Weaver

For

Mrs J A Batchelor
Head of Development & Technical
Services

21 June 2010

APPENDIX D

To:
Mr Murray
I J Murray Associates Ltd
200 Sea Front
Hayling Island
PO11 9HR

For: Mr Gates
Hayling Garage

**The Town and Country Planning (Development Management Procedure) (England)
Order 2015
Refusal of Planning Permission**

Application Number: APP/20/00032

Site Address: Hayling Garage, 2-4 Church Road, Hayling Island

Proposal: Retrospective application for single storey side extension to create work shelter.

Further to your application received on 14 January 2020 Havant Borough Council, as Local Planning Authority, **Refuses Planning Permission** for the above proposal.

The reasons for the Council's decision to refuse planning permission are:

- 1 Development of the site in the manner proposed would not provide adequate provision of car parking in accordance with the Local Planning Authority's adopted standards and would therefore encourage the parking of vehicles on the public highway, leading to indiscriminate parking, detrimental to highway amenity. The proposal is therefore contrary to policies CS16 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011, the adopted Parking SPD 2016 and the National Planning Policy Framework.
- 2 The proposed side extension, by virtue of its position, design and visibility from both Church Road and Tournurbury Avenue, is considered overly bulky and harmful to the character of this mainly residential area. The proposal is therefore considered to harm the visual appearance of the streetscene and the proposed development would, therefore, be detrimental to the amenities of the area. The proposal is therefore contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

In coming to its decision the Council considered plans and other documents submitted with regard to your application and the relevant policies of the Havant Borough Local Plan and other planning policy documents including the National Planning Policy Framework.

Our Ref: APP/20/00032

Other Important Information:

- (1) This notice only relates to the decision of Havant Borough Council as Local Planning Authority under the Town and Country Planning Acts. It does not relate to any other application that may be required under the Building Regulations or under any other Act, Regulation, Byelaw or Order where the Council's approval may be needed. For further guidance as to the need for consent under the Building Regulations please phone 023 9244 6571.
- (2) Your attention is drawn to the attached information regarding firstly your right to appeal to the Planning Inspectorate, if you are aggrieved by the Council's decision, and secondly the rights of an owner to, in certain circumstances serve a purchase notice on the Council. See www.planningportal.gov.uk/pes
- (3) In accordance with paragraphs 38-50 of the NPPF Havant Borough Council (HBC) takes a positive and proactive approach and works with applicants/agents on development proposals in a manner focused on solutions by:
 - Offering a pre-application advice service, and
 - Updating you of any issues that may arise in the processing of your application and where possible suggesting solutions, and,

In this instance:

The application is considered unacceptable for the reasons set out in the officers report.

Simon Jenkins

Simon Jenkins
Interim Director of Regeneration and Place

06 March 2020

APPENDIX E

Recommendation:

Havant Borough Local Plan (Allocations) July 2014

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

5 Statutory and Non Statutory Consultations

Councillor A Briggs - Cowplain

No comment

Councillor D Keast - Cowplain

No comment

Councillor Narinder Bains - Cowplain

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: 28

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 7

Comment	Officer Comment
This building has recently undergone a very large imposing extension to its rear and 2 storey side elevations. This has already greatly impacted on the dwellings behind, blocking out their view and much of their afternoon sunlight as well as being overlooked. Another large 2 storey extension is also currently being built next door at number 78 which has also blocked out more light and overlooks the houses behind. All this building work has got to stop! The proposed extension at number 76 is a three storey "eye saw" and not in keeping with any of the properties	Please refer to 'Planning Considerations' section of report

close by, it is even more imposing and overlooks all surrounding properties greatly affect the views from the houses behind as well as blocking out the sunlight. This will also have an adverse affect on the value of the houses behind as it will completely overlook them, block out their light and look terrible!	
We have recently received plans for this proposl and would like to advise, as the neighbouring property, we have no objections to make. We do not feel that it impacts our privacy or overlooks our property any further than currently. We would like to request that if any access is needed to the rear of their property , that they are conscious this is where our vehicle is parked and we need regular access.	Noted- It is acknowledged that construction activity can cause disruption to adjoining properties, however this is not a material planning consideration. Any blocking of accesses would be a civil matter between the parties involved; any undue noise and disturbance would be a matter controlled under separate Environmental Health legislation. Informatives are proposed to highlight key Environmental Health issues.
Please accept this email as a letter of OBJECTION for the proposed vertical extension for the above property. I feel that the increase in height of this property will have the following impacts [redacted text]: 1. Drastically reduce privacy and security to my home and garden as the extra height will give line of sight through my lounge, kitchen and bedroom. 2. Substantially reduce the amount of sunlight during the evening. 3. It is not in-keeping with the heights of existing properties. 4. Potentially devalue my own property. 5. There is NO rear access to 76 London Road apart from access via a private garage road, which they have no right of access - potentially damaging private property with deliveries via lorries and blocking access to parking and garages for a significant amount of time.	Please see 'Planning Considerations' section of report It is acknowledged that construction activity can cause disruption to adjoining properties, however this is not a material planning consideration. Any blocking of accesses would be a civil matter between the parties involved; any undue noise and disturbance would be a matter controlled under separate Environmental Health

	legislation. Informatives are proposed to highlight key Environmental Health issues.
The additional supporting evidence is unbelievable!!! The design team are missing the point!!! The fact that the high of the property will have an impact on surrounding properties they are failing to mention the two huge windows which will give view of sight into the majority of surround properties - whether it is there gardens or in my case nearly every room in my house!! This is blatant form of deception - not happy!! Please let me know how to send attachments!	Please see 'Planning Considerations' section of report
See representation in Documents.	Please see 'Planning Considerations' section of report
This development will allow direct site into the whole of my back garden and lounge area thus impinging on my privacy. The existing building already dominates my rear outlook and further raising of the roof will make the building even more imposing.	Please see 'Planning Considerations' section of report
Further to my objection to this development of 14th Oct 20. The property , since the side extension was constructed over the driveway to the rear garden, there is no access to the rear garden save for a small passageway between the property and the neighbour. The only alternative access is through the house. The property also has a large storage shed in the rear garden. Because there is no driveway to the rear garden, access to this shed is obtained by removing a panel of the boundary fence in the rear garden which let's out onto the garage space of the garages belonging to the residents of Milbeck Close. The occupant of 76 London Road constantly removes the fence panel in order to load and unload goods or building materials, thus blocking access, by the residents, to their garages. Should the development be approved, all of the materials delivered, and site clearance, will be via the boundary fence. Because the garages are in constant use by their owners, and the land is owned by the garage	It is acknowledged that construction activity can cause disruption to adjoining properties, however this is not a material planning consideration. Any blocking of accesses would be a civil matter between the parties involved; any undue noise and disturbance would be a matter controlled under separate Environmental Health legislation. Informatives are proposed to highlight key Environmental Health issues.

owners, The misuse and trespass by the resident of 76 London Road causes considerable inconvenience in the use of the garages. These activities are carried out without permission and without warning thus considerably exacerbating the frustration of the garage owners. Finally, the sometimes large vehicles that turn up are also destroying the kerb and verge on the public part of Milbeck Close which let's on to the garages.	
I object to the proposed enlargement of 76 London Road on the basis that the additional level will cause dramatic overshadowing to my premises, reducing sunlight through to my premises and adversely affect my right to light.	Please see 'Planning Considerations' section of report
I have a garage and forecourt area in a privately owned access used by myself and other persons living in Milbeck close, the disturbance and damage caused by L.G.V. vehicles to the footpath and area is not sustainable ,also there is a matter of obstruction to garage access .Who will pay for any damage and repair caused to the above land?	It is acknowledged that construction activity can cause disruption to adjoining properties, however this is not a material planning consideration. Any blocking of accesses would be a civil matter between the parties involved; any undue noise and disturbance would be a matter controlled under separate Environmental Health legislation. Informatives are proposed to highlight key Environmental Health issues.
I AM THE OWNER OF A GARAGE ONE OF A NUMBER IN TWO BLOCKS SITUATED TO THE SOUTH SIDE OF THE APPLICANTS REAR GARDEN. THE APPLICANT HAS BEEN IN THE HABIT OF USING UNAUTHORISED ACCESS TO HIS GARDEN VIA THE GARAGE CONCRETE STANDING BETWEEN THE BLOCKS THENCE MILBECK CLOSE. (THE STANDING WAS NOT CONSTRUCTED WITH HGV IN MIND). GARAGE OWNERS HAVE BEEN UNABLE TO ACCESS THEIR GARAGES OR VEHICLES. HGV HAS CAUSED DAMAGE TO THE COUNCIL OWNED GRASS VERGE WHICH HAS BEEN REPAIRED BY GARAGE OWNERS. MEASURES WILL BE PUT IN PLACE TO DENY ACCESS BETWEEN THE GARAGES- IT IS NOT A RIGHT OF WAY.	It is acknowledged that construction activity can cause disruption to adjoining properties, however this is not a material planning consideration. Any blocking of accesses would be a civil matter between the parties involved; any undue noise and disturbance would be a matter controlled under separate Environmental Health legislation. Informatives are proposed to highlight key Environmental Health issues.

- 7.1 The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria.
- 7.2 The proposed additional storey is the subject of recent changes to the General Permitted Development Order (GPDO) which have given general permitted development rights for such changes to take place under a 'prior approval' process. As the additional storey is proposed to a dwellinghouse then it is deemed the application can be considered under Part 1, Class AA "*enlargement of a dwellinghouse by construction of additional storeys*" of the GPDO.

Paragraph AA.1 of Class AA

- 7.3 Paragraph AA.1 of Class AA details instances where development under Class AA is not permitted. Assessment against this criteria is provided below:

(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, O, P, PA or Q of Part 3 of this Schedule (changes of use);

-Met

(b) the dwellinghouse is located on—

(i) article 2(3) land; or

(ii) a site of special scientific interest

-Met

(c) the dwellinghouse was constructed before 1st July 1948 or after 28th October 2018;

-Met

(d) the existing dwellinghouse has been enlarged by the addition of one or more storeys above the original dwellinghouse, whether in reliance on the permission granted by Class AA or otherwise;

-Met

(e) following the development the height of the highest part of the roof of the dwellinghouse would exceed 18 metres;

- The highest part of the roof does not exceed 18 metres

(f) following the development the height of the highest part of the roof of the dwellinghouse would exceed the height of the highest part of the roof of the existing dwellinghouse by more than—

(i) 3.5 metres, where the existing dwellinghouse consists of one storey; or

(ii) 7 metres, where the existing dwellinghouse consists of more than one storey;

- The highest part of the proposal would not exceed the highest part of the existing roof by more than 7 metres.

(g) the dwellinghouse is not detached and following the development the height of the highest part of its roof would exceed by more than 3.5 metres—

(i) in the case of a semi-detached house, the height of the highest part of the roof of the building with which it shares a party

wall (or, as the case may be, which has a main wall adjoining its main wall); or

(ii) in the case of a terrace house, the height of the highest part of the roof of every

other building in the row in which it is situated;

- This dwellinghouse is detached

(h) the floor to ceiling height of any additional storey, measured internally, would exceed the lower of—

(i) 3 metres; or

(ii) the floor to ceiling height, measured internally, of any storey of the principal part of the existing dwellinghouse;

- The floor to ceiling height would not exceed 3 metres or any height of an existing storey

(i) any additional storey is constructed other than on the principal part of the dwellinghouse;

- Met

(j) the development would include the provision of visible support structures on or attached to the exterior of the dwellinghouse upon completion of the development; or

(k) the development would include any engineering operations other than works within the curtilage of the dwellinghouse to strengthen its existing walls or existing foundations.

- Met

7.4 Conditions

AA.2.—(1) Development is permitted by Class AA subject to the conditions set out in sub-paragraphs (2) and (3).

(2) The conditions in this sub-paragraph are as follows—

(a) the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

- Met

(b) the development must not include a window in any wall or roof slope forming a side elevation of the dwelling house;

- Met

(c) the roof pitch of the principal part of the dwellinghouse following the development must be the same as the roof pitch of the existing dwellinghouse; and

(d) following the development, the dwellinghouse must be used as a dwellinghouse within the meaning of Class C3 of the Schedule to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the primary use as a dwellinghouse.

- Met

(3) The conditions in this sub-paragraph are as follows—

(a) before beginning the development, the developer must apply to the local planning authority for prior approval as to—

(i) impact on the amenity of any adjoining premises including overlooking, privacy and the loss of light;

(ii) the external appearance of the dwellinghouse, including the design and architectural features of—

(aa) the principal elevation of the dwellinghouse, and

(bb) any side elevation of the dwellinghouse that fronts a highway;

(i) Impact on the amenity of any adjoining premises has been considered :

To the north of the application site is no 78 London Road. The proposed development would take place towards the western side of the dwelling and impact is judged to be somewhat limited. Although the second floor windows in the additional storey would offer some increased views back towards the east , these views are not judged to be significantly increased than the existing views from the first floor windows.

To the south are properties 74 and 72 London Road, these properties have fairly small rear gardens and back on to garages. The proposal is not considered to cause any significant harm to these properties in terms of overlooking, privacy or loss of light.

To the east (rear) of the site are nos 12 and 13 Milbeck Close - there is a back to back distance of approximately 33 metres between the application property and no 12 and 35 metres to no 13. This meets the back to back criteria as set out in the HBC Design Guide. For this reason this proposal is judged not to result in any harmful additional overlooking.

(ii) Impact of the external appearance of the dwellinghouse , including the design and architectural features of the principal elevation of the dwellinghouse has been considered :

The proposed addition of a third storey to this currently two storey property is judged to be both harmful to the character of the streetscene and to the visual aesthetic of the host dwelling. The existing streetscene is generally comprised of two storey , detached properties ; although there is some variation in set back, design and heights- with Green Haven Court sited to the north which comprises three storeys. Despite this, the three storey aspect of the apartment building is integral to its design and therefore does not appear out of keeping as a building as a whole , with the frontage partially obscured with foliage to the front boundary. The application property is sited in a fairly prominent location along London Road, almost directly opposite the junction with Longwood Avenue and therefore any alterations would be highly visible from the public realm . The existing materials (and materials required under the criteria) also aid in this visual prominence, with the proposed pitched roof raised up above those surrounding and principle elevation formed of timber cladding.

This proposed alteration is judged to harm the appearance of the host dwelling , with the raised pitched roof set considerably above the existing hipped roof ridge which is currently only set slightly lower. The additional storey has the effect of making the building appear out of proportion and non subservient in appearance to the existing property , therefore harming the architecture of the original host dwelling.

(iii) air traffic and defence asset impacts of the development; and
(iv) whether, as a result of the siting of the dwellinghouse, the development will impact on a protected view identified in the
Directions Relating to Protected Vistas dated 15th March 2012(3) issued by the
Secretary of State;
-Met

8 Conclusion

- 8.1 This proposal would result in a poorly designed building which conflicts with the existing pattern of development in the surrounding streetscene. The additional storey would appear incongruous with the host property and would dominate the principal elevation, resulting in a non-subservient addition at odds with the existing architectural features of the existing dwelling. This proposal is judged to be contrary to the design guidance as set out in paragraphs 124, 127 and 130 of the National Planning Policy Framework (2019). Of the above listed criteria which the local planning authority are allowed to take into account the scheme fails on design grounds. Accordingly, the prior approval is recommended for refusal.

9 RECOMMENDATION:

That the Head of Planning be authorised to for application APP/20/00867

(B) for the following reasons

- 1 This proposal would result in a poorly designed building which conflicts with the existing pattern of development in the surrounding streetscene. The additional storey would appear incongruous with the host property and would dominate the principal elevation, resulting in a non-subservient addition at odds with the existing architectural features of the existing dwelling. The proposal is therefore contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

APPENDIX F

