

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 their 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 UNATHORISED 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.