

2 Planning History

03/59537/001 - Demolish existing garage. Construct two storey side extension and single storey rear extension extend chimney to ridge end of roof extension.,
PERM,26/06/2003

04/59537/002 - Two storey side and rear extension. REF 02/02/2005.

APP/19/00625 - First floor rear extension; alterations to external wall and roof finish; replacement of existing windows; raised deck to the rear and front boundary fence.
REF 11/10/2019.- Appeal Dismissed

3 Proposal

- 3.1 The proposal is for the construction of a first floor extension at rear to sit above previous ground floor extension. Changes to windows and roof tiles throughout, raised deck to rear. New rendered finish to front elevation and part of new rear extension. New garden wall and fence along main road.(Revised application). Some of the proposed alterations do not require planning permission, such as window alterations although these will contribute to the unified change to the appearance of the dwelling. In addition to the proposed extension, the development will update the appearance of the property. At the time of the officer's site visit, work on the property had commenced.
- 3.2 APP/19/00625 was refused and a subsequent appeal dismissed due to the extension being a large dominant feature and diminishing the outlook of the occupiers of 64 Ferndale which would be harmful to their living conditions. Further to extensive negotiations, the scheme has been revised to address these issues reducing the width of the first floor rear element of the extension by 4.1 metres and the depth to correspond with that of the existing single storey rear extension, thus removing the first floor projection element. The proposed new roof consists of two sections, the smaller of which has a hipped and pitched roof and the greater part on the southern side of the property has a pitched roof and the proposed zinc cladding has been removed.
- 3.3 The proposed first floor rear extension would be located over the existing ground floor rear element of the dwelling to a width of 8.1 metres with a 2.5 metre wide part with a pitched and hipped roof part and a 5.6 metre wide part with a pitched roof. The southern elevation would be predominantly be finished with glazing including a Juliet balcony, together with timber cladding, and white render to the eastern and northern elevations of the smaller part of the scheme. There is one new small first floor window on the existing northern elevation and two new first floor windows on the existing and proposed southern elevation facing Stratford Road.
- 3.4 The front elevation of the existing dwelling would be finished in render and timber cladding to part of the ground floor, together with a new front canopy. Windows, doors and rainwater goods would be changed overall so as to present a unified appearance to the overall dwelling as extended. The revised scheme also includes the provision of a new front boundary treatment consisting of a rendered dwarf wall and brick piers with fencing to a height of 1.4 metres. Additional surfacing and parking would be provided to the front of the dwelling.

- 3.5 A raised decking area of 0.8 metres is proposed to the rear of the property . This would be clad in stone and would extend 8.4 metres across the rear of the dwelling. A 1.7metre high obscure glazed privacy screen is proposed on the northern side of the decking to prevent views northwards towards the adjoining property.

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)
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)

Havant Borough Pre Submission Local Plan 2036

E1* (High quality design)

Emsworth Neighbourhood Plan Post Examination Version 2020

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

5 Statutory and Non Statutory Consultations

None.

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
This planning proposal has been carefully studied. We have serious and strong objections to this proposal as well as some general observations/queries. Mr Perkins (house holder 62 Ferndale) had been good enough to provide us with an A4 copy of the East Elevation of the 2020 proposed extension. Until the full plans had been looked at carefully online it was not possible to really get a proper appreciation for the proposed works. The comments made by this house-hold in 2004 and 2019 in relation to two previous applications for a first floor extension at 62 Ferndale (cases 04/59537/002 and APP/19/0625 refer) still stand and we would wish them to be taken into account again. In addition, the constraints shown online to those plans are still relevant to this new proposal and should also be applied to the new application. 2020 Comments Two observations/queries of apparent errors a. The Ferndale street view and the proposed front wall shown in the new plans. Major works at 62 Ferndale have been underway constantly now since February 2020 with just a 2 week break at the start of the COVID lockdown in March and a few odd days here and there. Part of those works have been the removal of the old wall to the front garden and the construction of a series of four tall (approx. 5ft high) breeze block/concrete pillars of roughly the same height with a low wall between them. These pillars and wall have no resemblance to the type or height suggested/outlined in the latest proposal. Do the latest plans mean that new wall is to be knocked down again and rebuilt? If the new plans are in error here, are there any other areas where there are inaccuracies? A photograph of the current state of the wall will be e-mailed to the case officer separately.	Noted, however each application is determined on its own merits. The proposal and plan has been amended to reflect this.

b. Chimney stack. The new plans for 62 all show a chimney stack on the northern end of the roof. During the exhaustive building works this year, the chimney stack was removed prior to the new roof being installed during the summer. There is now no space for a chimney stack on the new roof. The same question has to be asked, if the new plans are in error here, are there any other areas where there are inaccuracies? Again, a photograph of the current new roof will be e-mailed to the case officer separately.	The plans have been amended to reflect this.
Major Objection. Effect on Daylight 1. It must be admitted to start with the new proposal is somewhat better than the previous ones. 2. It must also be stated that we are not against the two room extension on the first floor, it is the height of the extension roof that we must challenge. 3. When Mr Perkins originally showed us a draft for the new plans back in January 2020, in case he lost his appeal to the previous application, we were very heartened to note that there was a proposed pitched roof over the extension. We recall the initial drawing we were shown clearly had a shallow pitch whose ridge seemed only about 40-50% of the full height of the main roof. This would have been acceptable. 4. However, when the full plans were available online, it was clear that the height of one of the two proposed pitched roofs is shown as being virtually the same height as the main house roof. This means that the loss of light to 64 Ferndale will be significant.	See section 7. See section 7.
5. Thus the proposed height of the top of the roof of the new first floor extension of 62 Ferndale, would have a serious deleterious effect on the occupants of 64 Ferndale, especially with regard to a reduction in light to the ground floor kitchen and utility room on the south side of 64. During the 2 main summer months, June and July, this effect is not that noticeable as the sun is high in the sky all day	See section 7.

long. However, for the vast majority of the year, especially in the winter, autumnal and early spring months, when the sun is lower in the sky, a new high first floor extension roof on 62 Ferndale would significantly cut out the light into the south/west facing windows and door on the ground floor of 64 Ferndale. Again, an appropriate photograph will be e-mailed to the case officer separately. 6. This loss of light would inevitably result in increased electricity bills (and therefore costs) for the occupants of 64 Ferndale.	This is not a planning consideration.
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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

(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 Following the refusal of APP/19/00625 and a subsequent appeal dismissed, the scheme has been revised taking into consideration the comments made by the Planning Inspector in the appeal decision notice. The amended scheme, reduces the width of the first floor rear element of the extension by 4.1 metres and the depth to correspond with that of the existing single storey rear extension. The proposed new roof consists of two sections, the smaller of which has a hipped and pitched roof and the greater part on the southern side of the property has a pitched roof and the proposed zinc cladding has been removed.

7.4 The new front boundary of a rendered dwarf wall and brick piers with fencing to a height of 1.4 metres would correlate with the proposed finishes on the main dwelling. Properties in the immediate vicinity have varying front boundary treatments and it is noted there are some properties with similar finishes in the area.

7.5 The proposals would undoubtedly result in a significant change to the appearance of this dwelling. However, the main issue in considering the proposal is not that the dwelling would 'look different' but whether its appearance would be visually unacceptable and/or result in harm to visual amenity.

- 7.6 The NPPF at paragraph 127 states that decisions should ensure that developments *".....are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change"* and that (para.131) *".....in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings."*
- 7.7 In this case, the site is located within an established residential area characterised by dwellings of mixed type and design. There is no overall established design theme or character. The proposal would introduce a dwelling design which has a modern appearance when compared to much of the development in the vicinity. However, this is not considered to mean that it ought to be seen as unacceptable for that reason. The design would maintain a unified appearance to the dwelling and it would contrast with surrounding development. However, it is not considered that this contrast would be harmful to the character and appearance of the area. The character of the area is already mixed and the proposal is considered to introduce a more modern design to the existing palette of dwellings in the immediate locality. In addition to this, whilst the site is in a corner location, there is existing screening of a substantial nature which would mitigate visual impact.
- 7.8 The revised design of the development is considered to have addressed the issues raised by the Planning Inspector and are judged to be appropriate to the overall building as proposed and would not be out of scale or result in a dwelling with an incongruous appearance.
- 7.9 The design and appearance of the proposal is therefore deemed appropriate in context to the main building and in the context of the locality and is considered to be acceptable, being consistent with the NPPF and meeting the requirements of Policy CS16 of the HBLP (Core Strategy). It is considered that the scheme would not result in a significant adverse impact on the visual amenity of the locality.

(iii) Effect on neighbouring properties

Impact on 64 Ferndale - side/north

- 7.10 This property is situated to the north of the application site and has a plot of a similar depth. The appeal which was dismissed following the refusal of APP/19/00625 cited the proposal would diminish the outlook, be dominant and overbearing to the occupiers of this property.
- 7.11 Regarding the effect on outlook falling within the 25 and 45 degree overshadowing zones, a 45 degree angle test was carried out which verified the extension meets the requirements for adequate daylight at number 64. Whilst it is acknowledged there would be an impact on the amount of light afforded to the ground floor windows in the southern elevation of this property, the existing dwelling falls within the 25 degree zone, therefore an element of overshadowing already exists. As recommended in the Havant Borough Council Design Guide SPD, the 45 degree overshadowing zone does not relate to side windows of neighbouring properties. It is not considered any additional loss of light would be sufficient to justify a refusal of planning permission. In addition, the largest side window at number 64 serves a utility room which is not a habitable room and furthermore this window already faces towards the side of the application dwelling and there is intervening fencing. Consequently it is considered that previous concerns raised have been addressed and there would not be an

unacceptably harmful impact on the amenity of the occupiers of number 64.

- 7.12 With respect to the potential loss of light to this property, it is acknowledged there would be an impact on and change to the outlook from the rear garden of number 64 when looking south. However, the first floor extension has been reduced in width by approximately 4.1 metres. The smaller part of the extension is 7.2 metres away from the southern elevation of this property with a pitched and hipped roof to an approximate height of 7.1 metres and the greater part of the extension is a further 3.2 metres from this elevation.
- 7.13 Although the roof of the greater part is pitched to a height of 8.2 metres it is 0.2 metres below the ridge height of the existing dwelling and pitches away from the property boundary. Whilst it is acknowledged the proposed roof is higher than that of the previous flat roofed proposal, it does not project beyond the rear elevation of the existing dwelling and is judged to be a reasonable distance away from the southern elevation of this property to mitigate any perception of dominance or overbearing. It is therefore considered any resulting impact would not be so great as to constitute a defensible reason for refusal.
- 7.14 The top of the proposed privacy screen to the raised deck would be visible to a limited degree above the fence line, but this would be set away from the boundary by approximately 4.3 metres and is not considered to result in harm to visual amenity, and would prevent overlooking from the raised patio area.
- 7.15 There is a new first floor window in the northern elevation of the existing dwelling serving an en-suite and it is recommended that in order to protect the privacy of the occupiers of this property, the window should be obscurely glazed and fitted with restrictors.
- 7.16 The amended scheme is not deemed to be unduly dominant or overbearing and any resulting impact is therefore considered to be acceptable in planning terms.

Impact on 1 and 3 Lysander Way - rear/east

- 7.17 These properties are situated to the rear of the application site beyond a footpath. There is a substantial amount of glazing in the main part of the first floor element together with a Juliet balcony which could be perceived to increase the level of overlooking to these properties. However, there is a distance in excess of 40 metres from the proposed first floor rear extension and the rear elevations of these properties to the east which meets the 24 metre distance recommended in the Havant Borough Council Design Guide SPD. Furthermore, a degree of overlooking already exists from the rear first floor windows of the application site, although a number of mature trees provide good screening between the properties. It is judged the other elements of the proposal would have a minimal effect on the occupiers of these properties. The impact is therefore considered to be acceptable in planning terms.

Impact on 58 Ferndale - side/south

- 7.18 This property is situated to the south of the application site. Whilst the rear first floor extension would be visible from this property, there is a distance of 25 metres from the southern elevation of number 62 and the northern elevation of number 58, with Stratford Road in between. The extension would be a continuation of the existing southern elevation of the property, maintaining the 2 metre distance to the boundary.

- 7.19 Although there are new first floor windows in the southern elevation of number 62, they are judged to be a sufficient distance away for any impact to be negligible. Furthermore, there are no side windows in the northern elevation of this property. The impact is therefore considered to be acceptable in planning terms.

Impact on 55 and 57 Ferndale - opposite/west

- 7.20 These properties are situated opposite the application site and the main element of the development would not be significantly visible. There is a distance of 27 metres from the front elevations of these properties to the front boundary of the application site, with the principle elevation a further 9 metres away. The proposed cladding and render, together with the new front canopy and boundary treatment would upgrade the external appearance of the property and have minimal effect on the occupiers of these properties. The impact is therefore considered to be acceptable in planning terms.
- 7.21 The design and appearance of the extension 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.

(iv) Parking

- 7.22 The development would result in the property remaining a 4-bedroomed dwelling, with no change therefore to the car parking requirements associated with the development. Notwithstanding this, the alterations proposed to the layout of the property frontage will ensure that parking provision at the site would meet with Council Standards and the proposals are therefore in accordance with Core Strategy Policy DM13.

8 Conclusion

- 8.1 The scale, siting and design of the proposals are not considered to be harmful to the character and visual amenities of the area, nor to the amenity of the adjoining occupiers and the proposal is not considered to give rise to harm due to privacy loss. The proposals would therefore have limited and acceptable impact on the neighbours and the locality and are therefore considered to be appropriate and recommended for approval.
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9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/20/00726 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 No above ground development shall commence until details of all external doors, windows, facing and roofing materials and materials for the decking area and privacy screen have been submitted to and approved in writing by the Local Planning Authority. Thereafter only such approved materials and finishes shall be used in carrying out the development.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 3 No works of hardsurfacing of the site shall take place until a specification of the materials to be used for the surfacing of all open parts of the site proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be brought into use until the implementation of all such hardsurfacing has been completed in full accordance with that specification.

Reason: In the interests of the amenities of the locality 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 the rear deck area being brought into use, the privacy screen indicated on the approved drawings shall be provided in accordance with those drawings and shall at all times be and remain glazed entirely with obscure glass, the particular type of which glass shall provide a degree of obscuration no less obscure than that which is provided by Pilkington's Texture Glass Obscuration Level 4.

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.

- 5 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, prior to the first floor extension being brought into use, the first floor window on the northern elevation shall be fitted with obscure glass, the particular type of which glass shall provide a degree of obscuration no less obscure than that which is provided by Pilkington's Texture Glass Obscuration Level 4 and fitted with restrictors, which are to restrict opening to a maximum of 50mm for ventilation 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.

- 6 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, prior to the first floor extension being brought into use, the first floor window on the southern elevation serving the en-suite shall be fitted with obscure glass, the particular type of which glass shall provide a degree of obscuration no less obscure than that which is provided by Pilkington's Texture Glass Obscuration Level 4. At all times following the implementation of the development the first floor window on the southern elevation serving the en-suite shall be 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.

- 7 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no additional windows doors or other openings shall be constructed within the north side elevation of the development hereby permitted without the prior written approval of the Local Planning Authority.

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.

- 8 The development hereby permitted shall be carried out in accordance with the following approved plans:

Drg no. 20A_031 01	Block and location plans
Drg no. 20A_031 02	Existing site plan
Drg no. 20A_031 03 Rev A	Proposed site plan
Drg no. 20A_031 04	Existing floor plans
Drg no. 20A_031 05	Existing elevations plan
Drg no. 20A_031 07	Proposed ground floor plan
Drg no. 20A_031 08	Proposed first floor plan
Drg no. 20A_031 09 Rev A	Proposed roof plan
Drg no. 20A_031 10 Rev A	Proposed Stratford Road street view plan
Drg no. 20A_031 11 Rev A	Proposed Ferndale street view plan
Drg no. 20A_031 12 Rev B	Proposed west elevation plan
Drg no. 20A_031 13 Rev A	Proposed east elevation plan
Drg no. 20A_031 14 Rev A	Proposed north elevation plan
Drg no. 20A_031 15 Rev A	Proposed south elevation plan

Reason: - To ensure provision of a satisfactory development.