

Recommendation: **GRANT PERMISSION**

Havant Borough Local Plan (Allocations) July 2014

Havant Borough Pre Submission Local Plan 2036

Emsworth Neighbourhood Plan Post Examination Version 2020

ENP_D1 (General Design Policy)
ENP_D2 (Height, Mass & Materials)
ENP_D3 (Layout, Form & Density)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Chichester Harbour Conservancy Response 1 - dated 8th July 2020

Chichester Harbour Conservancy Recommendation - No Objection

The Conservancy recommends the following suggested considerations -

- Schedule/samples of materials to be agreed prior to construction / as indicated on application forms / to match existing on site.

- The glazed fenestration should employ tinted glass panels, and these should be fitted with working internal screen blinds to reduce light spillage during evenings and night-times (dark skies policies) in order to minimise and reduce the amount of light illumination emitted both to the surrounding skyline and to the visual horizontal aspect of the new window openings.

- A suitable condition to ensure that the proposed extension is used and therefore remain ancillary to the host dwelling and is not sold, let or occupied as a separate dwelling or used for tourism accommodation or similar purposed un-associated with the occupation of the main residential unit.

The proposed facilitates ancillary accommodation (a granny annex) to the host dwelling with the extension providing a one-bedroom self contained annex with a separate doorway entrance, kitchen area and bathing area to the main retained dwelling house. The possibility of the proposal being used to enable tourism accommodation, or separation as an independent dwelling unit, separate from the host dwelling. Such changes of activity in the use would require separate and specific planning permission. Some of these uses would not be in accordance with the character of the area and the planning approach taken by the Chichester Harbour Conservancy. For this reason, a favourable outcome to the proposal should be controlled by planning restrictions for alternative uses for clarity and to avoid any future misinterpretation of the planning status of the structure.

The positioning of the proposal would have a localised impact on the character and appearance of the dwelling and the immediate surrounds. The proposal would have a visual impact on the AONB, but this is considered to be limited.

Given its setting, the proposal is considered not to be unduly prominent to be

detrimental to the character or the appearance of the Area of Outstanding Natural Beauty (AONB).

The proposal is unlikely to have any significant impact or effect on the AONB in terms of landscape character or in relation to wildlife conservation and protection.

Response 2 - dated 29th July 2020

Chichester Harbour AONB Unit Recommendation – No objection

Suggested considerations –

- schedule/samples of materials to be agreed prior to construction / as indicated on application forms / to match the existing on site.
- the glazed fenestration should employ tinted glass panels, and these should be fitted with working internal screen blinds to reduce light spillage during evenings and night-times (dark skies policies) in order to minimise and reduce the amount of light illumination emitted both to the surrounding skyline and to the visual horizontal aspect of the new window openings.
- a suitable condition to ensure that the proposed extension is used and therefore remains ancillary to the host dwelling and is not sold, let or occupied as a separate dwelling or used for tourism accommodation or similar purposed un-associated with the occupation of the main residential unit.
- the demolition of existing parts of the building and or outbuildings, should only be carried out following a competent wildlife survey having been carried out by a recognised ecologist surveyor to ensure that no protected species, such as bats, are present in the structures to be demolished so as to meet the legal requirements under the guidance of Natural England of The Wildlife and Countryside Act 1981 and The Conservation of Habitats and Species Regulations 2010.
- any and all external lighting shall be fitted with a suitable and effective cowl to focus the light-beam and illumination downwards and prevent light spillage above the horizontal and into the night sky, so as to comply with the Dark Skies approach within the AONB protected landscape and to limit disturbance to wildlife.

Officer's Comments regarding suggested conditions

- The proposed development would match the materials to the main dwellinghouse. A condition regarding matching materials has been recommended.
- With regards to providing tinted glass panels given that the site is an urban area with street lighting, the suggested condition is not considered to be necessary
- A condition regarding the use of the proposed development to be ancillary to the main dwellinghouse has been recommended. This was considered reasonable and necessary to ensure a separate dwellinghouse is not created which would be unacceptable in this location. Furthermore, a condition requiring the door into the existing living room shown on the floor plan shall be provided prior to occupation of the extension and retained thereafter in order to have a primary link to the existing dwellinghouse.

Councillor Julie Thain-Smith

No Comment.

Councillor Lulu Bowerman

No Comment.

Councillor R Kennett

No Comment.

Environment Agency

We have no comment to make on application as submitted as the development will be covered by our Flood Risk Standing Advice.

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: 2

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 3

Comment	Officer Comment
Landownership concerns with regards to the shared driveway and red line plan	This was resolved with the applicant's agent submitting a certificate B notice.
Extension would have a larger footprint than existing outbuilding and would be out of keeping	The plans were amended showing the proposed side extension having the same footprint as the existing storage room.
The proposed development would be used as a separate annex	A condition regarding the use of the proposed development to be ancillary to the host dwelling has been recommended.
The extension has clearly been designed as a separate property and contravenes the leasehold	This is a private matter and not a material planning consideration
The proposed extension is within centimetres of the boundary between our properties. I would request reassurance that no scaffolding will be required to be erected on my land.	This is a private matter between the two parties.
I have been advised that the window	Please see Section 7.

on the lower floor should be a non opening window as it is so close to the boundary .	Please see Section 7.
Difficult and unobtainable car parking spaces	

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) Flooding

(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. It is adjacent to Area of Outstanding Natural Beauty (AONB).

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

7.3 The proposed development would involve the demolition of the existing single storey side extension with the erection of a two storey side extension. On the ground floor the proposed extension would be used as a storage room and living area. The ground floor would have the same footprint as the existing storage room with a width of approximately 2.9 metres and a depth of approximately 6.6 metres. On the first floor there would be an en-suite to the front and a bedroom to the back. This would slightly overhang the ground floor to the rear extending a further 1 metre back to join up with the existing rear wall of the property.

7.4 The application site is adjacent to the AONB in which Policy CS12 applies. Therefore, any development must have regard to the scenic beauty of the landscape. The proposed development would have facing brick, composite and tile hanging with a composite flat roof covering to match the existing property. This is considered to be inkeeping with the context of the main dwellinghouse.

7.5 The proposed development would be subservient to the host dwelling offset from the front of the property by approximately 3 metres. It is considered that an extension of this scale would be appropriate in terms of the retained amenity space having the same footprint as the existing storage room. It is worth noting No.32 Maisemore Gardens directly north has a two storey side extension obtained under reference 27450. Therefore, the proposed development is deemed to be inkeeping with the character of the area. Furthermore, it would have a minimal impact upon the AONB landscape, fitting in with the context of the high density terraced housing.

7.6 With regard to the Chichester Harbour AONB, the proposal is located within high density terraced house, which would be unlikely in visual terms to adversely impact the

wider environment or have an impact on the AONB in terms of character and its setting, in accordance with Policy CS12 of the HBLP (Core Strategy).

- 7.7 The design and appearance of the proposal is deemed appropriate in context to the main building and the locality and is therefore considered to be acceptable, meeting the requirements of Policies CS12 and CS16 of the HBLP (Core strategy) and D1, D2 and D3 of the Emsworth Neighbourhood Plan. 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 The proposed development would be visible from the public realm with a door on the ground floor and a first floor window. This would not result in any adverse overlooking facing out onto the public highway and the front gardens of the neighbouring properties.
- 7.8 To the west side of the proposed extension there would be a ground floor window serving the living space, this would face out onto trees and hedging and not overlook any immediate private amenity space. As the proposed two storey side extension would be situated away from No.32 Maisemore Gardens and would be the same footprint as the existing storage room it is not considered to result in harmful overshadowing or appear overbearing.
- 7.9 To the rear of the proposed side extension there would be a door on the ground floor and a window on the first floor. This would not materially change the position of overlooking, with the existing views already established and deemed acceptable.
- 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) and D1, D2 and D3 of the Emsworth Neighbourhood Plan.

(iv) Parking

- 7.11 The proposal would continue to have 4 bedrooms therefore 3 car parking spaces are required as set out in the Havant Borough Car Parking SPD. There is sufficient car parking on site to accommodate 3 car parking spaces as shown in the Site Plan. Therefore, this is in accordance to the Havant Borough Car Parking SPD and thus deemed acceptable.

(v) Flooding

- 7.12 The application site is located within Flood Zone 2 and 3. The proposed development would not increase built development on the ground and as a 'minor development' according to the National Planning Practice Guidance (NPPG), the proposal is considered unlikely to cause any increase in flood risk to occupiers, or elsewhere. Furthermore, the Environment Agency has made no comment on this application.

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/20/00444

- 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:

Location Plan

Block Plan - MLP/02A

Proposed Elevations and Floor Plans - 3079 04E

Reason: - To ensure provision of a satisfactory development.

- 3 The internal door shown on the approved proposed floor plan No. 3079 04E into the existing living room shall be provided prior to occupation and thereafter retained in its position.

Reason: In the interests of proper planning and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 The extension hereby permitted shall be used only for purposes incidental to the enjoyment of the dwellinghouse as such and shall not be used for any business, commercial or industrial purposes whatsoever.

Reason: In the interests of the amenity of the area and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 The external materials used 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.