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| Site Address:   | 82 Westbourne Avenue, Emsworth, PO10 7QN                                                         |               |              |
| Proposal:       | Proposed part two storey and part single storey side extension and single storey rear extension. |               |              |
| Application No: | APP/19/00654                                                                                     | Expiry Date:  | 28/08/2019   |
| Applicant:      | Mrs Cady                                                                                         |               |              |
| Agent:          | Mr C Curnow                                                                                      | Case Officer: | Bee Crawford |
|                 | Thorns - Young Ltd                                                                               |               |              |
| Ward:           | Emsworth                                                                                         |               |              |

Recommendation: **GRANT PERMISSION**

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## **1 Site Description**

- 1.1 The application site is a modern two storey detached property and integral garage situated towards the northern end of Westbourne Avenue. It has a brown tiled pitched roof and elevations of red multibrick. The site is level and open to the front with vehicular access leading to a tarmac drive and an area of grass. The garden is to the rear and side of the property and is laid to lawn with a patio area and a shed and is enclosed to all boundaries with fencing ranging in height from 1.5 to 2 metres.
- 1.2 Modern two storey detached properties are to the north east in Westbourne Avenue and Westwood Close, a modern detached two storey property is to the south west, a detached two storey property and the side aspect of a garden of a property in Wickor Way are opposite and the front garden of a property in Westwood Close is to the rear. The area is of medium density with two storey detached and semi-detached properties and bungalows of similar and different age, style and design.

## **2 Planning History**

APP/13/01167 - Single storey side extension to form attached double garage and conversion of existing garage to living accommodation incorporating new front bay window., PERM 24/02/2014.

## **3 Proposal**

- 3.1 The proposal is for the construction of a part two storey and part single storey side extension and single storey rear extension, conversion of existing garage.

## **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

- CS11 (Protecting and Enhancing the Special Environment and Heritage of Havant Borough)  
CS16 (High Quality Design)  
CS17 (Concentration and Distribution of Development within the Urban Areas)

Havant Borough Local Plan (Allocations) July 2014

- AL1 (Presumption in Favour of Sustainable Development)  
AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements)

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: 3

| Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Officer Comment |
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| We object based on the detrimental effect that this proposal will have on our rear garden. Our garden has already a side end view of 84 Westbourne Avenue at the rear end of our garden and this proposal will bring closer a side end view of 82 Westbourne avenue to another side of our garden. Having two rear end views of houses overlooking our garden will be imposing and take away some of the light and openness currently enjoyed in what is already a small and closed in environment. The positioning of the existing property of 82 Westbourne Avenue may have been decided by the original property developers with this in mind by | See section 7.  |

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| <p>ensuring that there was adequate space between the two developments to enable there to be adequate light and openness in our garden as part of there overall development plans. Hopefully the examiner will respect our concerns and take them into account when looking into this proposed extension.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                             |
| <p>Looking further at the proposed extension it is noted that the originally proposed new balcony window on the upper floor level has been removed and replaced by a larger window with the prospect of an increased view into our property. It is also apparent that the overall mass of the property has been further increased and that the size of the property would therefore increased by nearly a third. This will have an affect not only on our property but also the outlook currently enjoyed by those properties on the opposite side of Westbourne Avenue and that of the adjacent property No84. The proposal to add a driveway to sit alongside the existing driveway of No 84 would also seem to be an unattractive part of the plan and overall I believe this project will produce a house largely out of character with the surrounding properties as well as the negative effect it will have on my own property.</p> | <p>See section 7.</p>                                                                                       |
| <p>The block plan suggests a rectangular plot which is misleading. This can be seen by either consulting the Land Registry Title HP215539 or Google maps. A planning application was refused for a neighbouring property for the same reason as the council ignored/did not take note of this boundary. This can be seen as APP/15/00859. The mass of the addition is out of character with the neighbourhood and is overbearing. The proposed development would result in an excessive building bulk adjacent to an existing residential property, resulting in a loss of privacy and loss of light detrimental to the visual outlook and amenities of the</p>                                                                                                                                                                                                                                                                            | <p>An amended block plan was submitted and annotated with the correct boundaries.</p> <p>See section 7.</p> |

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| <p>occupier of this property. Combined with the proposed rear extension to the property it would make the whole property too large for the plot it stands in.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                       |
| <p>With reference to your letter to us dated 3rd July 2019, in connection with the above described proposed development, will you please note our response.</p> <p>Taking into account the planning history of the application site, related to a generally similar proposal, we have no comments to make with regard to principle of development or design details.</p> <p>As a strictly independent observation it should nevertheless be noted that materially, the front 'common' boundary between No 82 (the application site) and that of neighbouring No. 84, is defined on the ground by the outer edge of a brick paved vehicular approach to the garage of No 84 and an area of additional parking space that serves that property, from an established single vehicular access.</p> <p>The physical boundary as measured on the ground and delineated on PLAN B, is shown to be substantially on land within the ownership of No 84. As such, it should be concluded that the site plan dated 31st May 2019, submitted with the application is materially inaccurate and therefore invalid.</p> | <p>An amended block plan was submitted and annotated with the correct boundaries.</p> |
| <p>Further comments below were received following the submission of amended plans.</p> <p>My objection to this proposal remains the same. The two storey part of the proposed extension to the side of 82 Westbourne Avenue is going to have a detrimental effect, even in it's amended form, on the outlook from our garden and the amount of light received. The small size of our garden already</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <p>See section 7.</p>                                                                 |

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| enclosed at the rear by a side facing house will result in a claustrophobic feeling that will transform an outlook enjoyed for the last 25 years. There is also the concern over the likely effect that this proposed development is going to have on the value of our property. | This is not a material 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
- (iv) Parking

(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 The proposal is for a single storey rear extension and part two storey and part single storey side extension to the north eastern side of the property together with the conversion of the existing garage and would be visible from the public realm, although the property is set back a minimum of 7 metres from the highway.

7.4 For schemes such as this, there is adopted supplementary planning guidance in the form of the Borough Design Guide. This recommends two storey side extensions should be subservient to the main building with a lower ridge height so that they do not dominate the main frontage, and advises that it is important that gaps are retained between buildings to prevent neighbouring properties and the street scene being adversely affected.

7.5 The original design was to continue the line of the roof, with a lower height gable front projection for a width of 4 metres and a depth of 7.3 metres to be in line with the existing rear elevation of the property with a 0.6 metre projection to the front, providing a new garage at ground floor and a bedroom to the first floor following the re-configuration of the first floor layout. The scheme included full height french doors and a Juliet balcony to the rear elevation. The single storey rear extension extended across the existing rear elevation to a depth of 4 metres with a mono-pitched roof which in isolation would fall within the reams of permitted development. Following the officer's site visit, due to the relationship between the application site and the neighbouring property to the north east at 12 Westwood Close, concerns were raised regarding the impact of the two storey element of the proposal on this property with respect to overbearing, overlooking and loss of privacy.

- 7.6 Amended plans were submitted on 24 October reducing the width of the first floor by 1 metre replacing the Juliet balcony with a window of a modest size and changing the roof design to hip away from the boundary, reducing the mass. In addition, the extent of the single storey rear extension was increased by 3.9 metres to join the single storey element of the side extension. Although the revised scheme has increased the footprint at single storey, the two storey element is judged to be subservient to the main dwelling by virtue of the proposed roof design and width.
- 7.7 It is considered the amendments have addressed the concerns previously raised regarding the impact on the neighbouring property to the north east. The revised proposal has removed the Juliet balcony and reduced the width of the extension at first floor by 1 metre resulting in a distance of approximately 3 metres at first floor and 2 metres at ground floor to the boundary with 12 Westwood Close, meeting the requirements set out in the HBLP Borough Design Guide. Whilst it is acknowledged the proposal will result in a generous increase in the footprint and volume of the property it is considered it can be adequately accommodated within the extent of the site, retaining a sufficient amount of amenity space. Furthermore, in isolation sizeable single storey rear and side extensions could be built within the limits for permitted development.
- 7.8 The design and appearance of the proposal is deemed appropriate in context to the main building and is therefore considered to be acceptable, meeting the requirements of Policy CS16 of the HBLP (Core strategy). It is considered that the scheme would not result in an adverse impact on the visual amenity of the locality which is diverse in nature.

(iii) Effect on neighbouring properties

Impact on 12 Westwood Close

- 7.9 The south western boundary of this property is adjacent to the application site and the properties are situated such that the proposed extension would be closer to the end of the rear garden of this property. Concern has been raised that the proposed extension could be considered to be overbearing and lead to a loss of light to this property. However the revised proposal has reduced the width of the extension at first floor by 1 metre resulting in a distance of approximately 3 metres at first floor and 2 metres at ground floor to the boundary with 12 Westwood Close, meeting the requirements set out in the HBLP Borough Design Guide. Furthermore, the design of the roof has been altered so it pitches away from the boundary which minimises the mass. It is therefore considered that a reasonable outlook would be retained from the closest neighbouring windows at this property and any resulting impact is not considered so great as to constitute a defensible reason for refusal.
- 7.10 Regarding potential overlooking and loss of privacy, the proposal has been revised removing the rear Juliet balcony and full height doors, replacing it with a window of a similar size to the existing windows which would be set in 0.85 metres from the edge of the extension. A degree of overlooking already exists from the rear first floor bedroom windows of number 82 and it is considered any additional overlooking would not result in significant harm. There are no windows at first floor in the side elevation of the proposal and although there are two windows and a door at ground floor there is good screening to the boundary. The impact is therefore considered to be acceptable in planning terms.

Impact on 84 Westbourne Avenue

- 7.11 This property is situated such that the front elevation overlooks the front amenity area of the application site and the side of the proposal would be approximately 7.5 metres away from the nearest part of this property which is the garage projection. There are no windows in the first floor side elevation of the proposal and whilst there is a first floor window in the front elevation, any overlooking would be to the front of this property which is not considered to be the primary amenity area, therefore any perception of loss of privacy would not be unacceptable. The impact is therefore considered to be acceptable in planning terms.

Impact on 80 Westbourne Avenue

- 7.12 The two storey element of the proposal is on the north eastern side of the property and there are no side windows in the south western elevation of the single storey extension. This continues the line of the existing property, maintaining the 1.2 metre distance to the boundary with number 80. This property is set forward of the application site and the single storey rear extension could be perceived to result in a loss of light to the rear ground floor windows of this property. However there is a single storey rear extension of with a depth of approximately 4 metres and a 45 degree angle test was carried out as recommended in the Havant Borough Council Borough Design Guide SPD, which verified the proposed extension falls outside the overshadowing zone of ground floor windows at this property. It is therefore considered a reasonable outlook would be retained from the closest neighbouring windows at this property and The impact is considered to be acceptable in planning terms.

Impact on 14 Westwood Close

- 7.13 This property is situated to the rear of the site with its rear boundary running along the depth of the front garden of this property. There is a distance of 10 metres between the rear elevation of the single storey element of the proposal and the side elevation of this property. Whilst there could be a perception of overlooking and loss of privacy to this property, a degree of overlooking already exists from the first floor windows of number 82. The first floor window in the rear elevation of the proposal would be opposite the front amenity area of this property therefore any perception of overlooking and loss of privacy would not be unacceptable. The impact is therefore considered to be acceptable in planning terms.

Impact on 47 Westbourne Avenue and 2 Wickor Way

- 7.14 The elevations of these properties closest to the application site are a minimum of 50 metres away and it is deemed any impact would be negligible.

(iv) Parking

- 7.15 There is no increase in the number of bedrooms at the property and whilst the existing garage is to be converted, the proposal includes the provision of a new garage. Furthermore a parking plan has been submitted to show three on site parking spaces in addition to the new garage which meets the requirements for a four bedroom property as recommended in the HBC Parking SPD (July 2016). It is therefore considered a condition is not necessary in this instance.
- 7.16 Consequently, it is considered that the proposal is unlikely to 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).

## 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.
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## 9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/19/00654 subject to the following conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.

**Reason:** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The 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.

- 3 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no additional windows at first floor or above shall be installed in the extension (north eastern elevation) hereby permitted without the prior approval of the Local Planning Authority.

**Reason:** To protect the amenity of the area and to secure satisfactory levels of private amenity space for future residents and having due regard to policies CS11 and 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, no roof alterations shall be constructed to the extension hereby permitted under Classes B and C of Part 1 of Schedule 2 of the 2015 Order (as amended) without the prior approval of the Local Planning Authority.

**Reason:** To protect the amenity of the area and to secure satisfactory levels of private amenity space for future residents and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

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

Location plan

Proposed block plan

Drg no. 3105.19.01 Existing floor and elevation plans

Drg no. 3105.19.02 Rev D Proposed floor and elevation plans

**Reason:** - To ensure provision of a satisfactory development.