
Site Address:	3 Lexden Gardens, Hayling Island, PO11 0QP		
Proposal:	Proposed first floor extension above existing garage and utility room. (Revised Application)		
Application No:	APP/19/00598	Expiry Date:	04/09/2019
Applicant:	Mr & Mrs Stradwick		
Agent:	Mr Bessant	Case Officer:	Bee Crawford
	JB Architecture		
Ward:	Hayling West		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site is a modern detached two storey property with a large attached flat roofed garage to the front of the property, situated in a cul-de-sac. It has a brown tiled pitched roof and elevations of beige/yellow multibrick and red tile hanging. The site is level and there is open vehicular access to the front, leading to a concrete drive, parking area and lawn enclosed with hedging of a minimum height of 1.8 metres. The rear garden is mainly laid to lawn with a raised patio, outdoor pool and shed enclosed with a 1.5 metre high concrete panel fence to the west, a 1.6 metre to 2 metre high wall and hedge in excess of 2 metres high to the east and a 2 metre high hedge to the rear (north).
- 1.2 Modern detached two storey properties are to the east and west, the rear garden of a property in Lexden Gardens is opposite and the rear gardens of properties in Spinnaker Close are to the rear. The area is of medium density with a small development of modern detached two storey properties of a similar age, style and design.

2 Planning History

91/55411/001 - Retention of single storey side extension, permitted 08/01/1992.

APP/18/00985 - First floor extension over existing garage and utility room; cladding to elevations. This application was refused at the Development Management Committee on 24 January 2019 for a single reason, as follows:

The proposed extension would, by reason of its bulk, proposed materials and prominent siting, appear incongruous and be harmful to the existing character and appearance of the area conflicting with the established pattern of development and spatial characteristics and setting of the street scene. The proposal therefore conflicts with Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, the Havant Borough Design Guide Supplementary Planning Document 2011 and the National Planning Policy Framework.

An appeal was lodged against this refusal and subsequently dismissed on 30 May 2019 by reason of the cladding materials proposed only. Particularly pertinent are the Inspector's comments in Paragraphs 5 and 7 of the appeal decision:

“.....The extension has been designed to enable a degree of subordination to the host dwelling through the construction of a ridgeline lower than that of the main range, as well as a hipped gable to be provided on the front elevation. Taking into account the aforementioned staggered building line, and the relationship with no 4, on balance, I consider that the proposed extension by virtue of its overall scale, bulk and siting would not appear unduly incongruous within the street scene.”

“.....I find that by reason of the cladding materials proposed, the extension would appear incongruous and harmful to the character and appearance of the area.”

3 Proposal

- 3.1 The current proposal is for the construction of a first floor extension above existing garage and utility room. The revised application is for essentially the same scheme as was considered under APP/18/00985 (incorporating the amendments which were negotiated during the life of the previous application to address officer concerns) but removing the cladding that the Inspector found unacceptable and mounting tile hanging to the southern elevation of the extension instead to match that already featuring on the front elevation of the dwelling. Furthermore, amended plans were received on 7 August hipping back the roof of the rear elevation of the extension to further mitigate the impact on the neighbour at No. 4 Lexden Gardens, notwithstanding that this impact did not give rise to a reason for refusal of the earlier scheme; nor did it feature as a main issue in the Inspector's consideration of the appeal.

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)

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

Developer Services, Southern Water

Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer.

We request that should this application receive planning approval, the following informative is attached to the consent:

A formal application for connection to the public sewerage system is required in order to service this development. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link
<https://beta.southernwater.co.uk/infrastructure-charges>.

It is the responsibility of the developer to make suitable provision for the disposal of surface water. Part H3 of the Building Regulations prioritises the means of surface water disposal in the order

- a Adequate soakaway or infiltration system
- b Water course
- c Where neither of the above is practicable sewer

Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

For further advice, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119), www.southernwater.co.uk or by email at developerservices@southernwater.co.uk.

Officer comment: An informative is recommended as per Southern Water's request. With regard to the discharge of surface water, given that this is an application for an extension to an existing dwelling, it is considered that this issue is a matter for the Building Regulations.

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: 7

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 0

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 The proposal is for the construction of a first floor front and side extension over the existing garage and part of an earlier single storey extension, including tile hanging to the front elevation of the extension to match that of the front elevation of the existing property. Whilst the development would be visible from the public realm, the front elevation of the garage is a minimum of 6 metres from the highway. The development as proposed will not increase the footprint of the property, however it will result in a noticeable increase to the overall volume on the eastern side of the property.
- 7.4 The application is a revision to APP/18/00985 which was refused and dismissed at appeal by reason of the proposed use of artificial weatherboarding cladding only. The revised application is for essentially the same scheme but removing the cladding and mounting tile hanging to the southern elevation of the extension. Amended plans were subsequently submitted on 7 August to hip back the roof of the rear elevation of the extension to further mitigate the impact on the neighbour at number 4 Lexden Gardens and it is those which are considered in this report. It is deemed this amendment improves the appearance of the proposal.
- 7.5 The proposal has a depth of 8 metres and is set back approximately 0.7 metres from the front elevation of the garage and 3.65 metres from the original rear elevation of the property. It has a hipped and pitched roof and the ridge height of the proposal would be 0.9 metres lower than the existing ridge height.
- 7.6 Regarding the potential impact on the street scene, Lexden Gardens is a cul-de-sac of similar style two storey properties with garages to the front, together with a bungalow to the northern end opposite the application site and two individual chalet style properties at the southern end. The properties on the western side present some uniformity to the street scene, as do two of the properties on the northern side. However, the application site is situated on a bend in the road and the front elevation of the property is 5 metres forward of the front elevation of the property to the west (2 Lexden Gardens) and set back 5 metres from the front elevation of the property to the east (4 Lexden Gardens). The front wall of the garage falls in line with the southern elevation of this neighbouring property, giving a slightly staggered appearance to the houses in this part of Lexden Gardens.
- 7.7 Although the properties are detached, there is no significant distance between the houses, the majority of which have large flat roof garages projecting beyond the front elevation of the properties. The proposed development entails no increase in the footprint of the property, and whilst the extension will be built up to the eastern boundary with 4 Lexden Gardens, it is subservient in height, the roof pitches away from the boundaries and it is set back from the front elevation of this neighbouring property. It is therefore considered that the design relates well to the existing dwelling and is clearly defined as part of this property.
- 7.8 In terms of the potential terracing effect, there are a number of examples in the street

where development is close to or up to property boundaries, albeit there are none which project beyond the front elevation of the original dwelling. Whilst it is recognised the proposal would have an impact on the existing street scene, due to the siting of the properties in this part of Lexden Gardens, and in particular the staggered nature of the existing front elevations, it is considered that this impact would not be so great as to constitute a defensible reason for refusal. It is noted that the Inspector reflected this in his appeal decision, stating at Paragraphs 4 and 5:

“The front elevation of the garage and the proposed extension is broadly in line with the principal two storey elevation of no 4; and with the exception of the relationship between nos 2 and 3, creates an almost unique situation within the close, whereby the built form of the proposal would be viewed against the backdrop of a blank gable end.

The extension has been designed to enable a degree of subordination to the host dwelling through the construction of a ridgeline lower than that of the main range, as well as a hipped gable to be provided on the front elevation. Taking into account the aforementioned staggered building line, and the relationship with no 4, on balance, I consider that the proposed extension by virtue of its overall scale, bulk and siting would not appear unduly incongruous within the street scene.”

- 7.9 Therefore, whilst it is acknowledged the extension would result in a noticeable addition to the volume of the property, it is judged to be subservient to the main dwelling by virtue of the proposed height, and as such it is consistent with the guidance set out in the Havant Borough Council Borough Design Guide SPD.
- 7.10 With regard to the proposed tile hanging to the front elevation of the extension, this will match the existing tile hanging and correspond with the current external appearance of the property. It is considered the proposed materials would be appropriate in the setting of the property and consequently the development would not be incongruous within the street scene.
- 7.11 Taken together, the form, scale, bulk, design and appearance of the proposal is deemed appropriate in context to the main building and the street scene and is therefore considered to be acceptable, meeting the requirements of Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011. 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

- 7.12 The proposed scheme is to the eastern side of the property, situated over the existing garage and utility room. It would not project beyond the existing side elevation of the garage, retaining the 0.9 metre distance to the property to the east (4 Lexden Gardens).
- 7.13 It is acknowledged the extension is of a reasonable size and would be built up to the property boundary of the application site with 4 Lexden Gardens. 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 comfortably outside the overshadowing zone of ground and first floor windows at 4 Lexden Gardens. Furthermore there are no windows in the western side elevation of the neighbouring property at 2 Lexden Gardens, which lies 6.8m from the proposed extension, and it is therefore considered a reasonable outlook would be retained from this property.
- 7.14 With respect to the impact of the development on the property to the east at 4 Lexden

Gardens, the extension is set back 0.7 metres from the front elevation of this property and projects approximately 1.5 metres beyond the rear elevation with a pitched roof 0.9 metres below the existing ridge height. Amended plans were received on 7 August hiping the roof to the rear of the extension which further reduces the massing and limits the impact on 4 Lexden Gardens further, notwithstanding that this matter did not form the basis for the Committee's refusal of the previous scheme; nor the Inspector's dismissal of the appeal. The current proposal can therefore be seen to deliver betterment to the impact on No.4, over and above an impact which was previously considered to be acceptable in any event. The limited depth of the extension beyond the rear elevation of 4 Lexden Gardens, coupled with that property's substantial rear amenity space, means that it is not considered that the impact of the development on No. 4 would be unacceptable

- 7.15 With regard to overlooking issues, there are no windows in the main side elevations of the extension, although there are two roof lights in the eastern roof elevation and one in the western roof elevation. The bottom edge of the rooflights are approximately 0.5 metres above the eaves of the extension, and it is considered the roof lights would not result in any additional overlooking or loss of privacy to the occupiers of the neighbouring properties.
- 7.16 There is one window in the northern elevation of the proposal which is set back 3.65 metres from the rear elevation of the original dwelling. The plans indicate it is to serve a dressing room with an obscurely glazed window and amended plans were received on 4 September reducing the width of the window by approximately 0.3 metres by using the existing landing window as detailed in 7.17 below. It is therefore judged this window would not result in any significant additional overlooking of the rear amenity area of the neighbouring property to the east (4 Lexden Gardens). Notwithstanding this, a condition is recommended for the obscure glazing in this window to be retained and for the window to be right hand hung.
- 7.17 It is also noted that there is an existing landing window in the eastern elevation of the property which affords a degree of direct overlooking into the rear amenity area of the neighbouring property at No. 4. This will be removed as a result of the proposal, and therefore an improvement to the privacy of the immediate rear garden area of No.4 will occur as a result of the development.
- 7.18 The properties opposite and to the rear are deemed to be a sufficient distance away for any impact to be negligible.

(iv) Parking

- 7.19 The proposed development results in an increase in the number of bedrooms from four to five, although there would no change to the requirement for three on-site parking spaces as recommended in the HBC Parking SPD (July 2016). A parking plan has been submitted as part of the application to reflect this and it is therefore considered a condition is not necessary in this instance.

8 Conclusion

- 8.1 The revised proposal the subject of this report is considered to have entirely addressed the narrow grounds for dismissal of the appeal in respect of APP/18/00985. The form, scale, bulk, design and appearance of the proposal is deemed appropriate in context to the main building and the street scene. It is also considered that the

proposal would have a limited and acceptable impact on the neighbouring properties – indeed, in respect of No.4 Lexden Gardens the design of the scheme has been amended such that it has less impact than that associated with APP/18/00985, notwithstanding that this earlier application was not refused on neighbour amenity grounds. The parking requirements associated with the enlarged dwelling can be satisfactorily met on site. The proposal is therefore considered to be acceptable, meeting the requirements of Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, and is recommended for approval.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/19/00598 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 2015, prior to first occupation of the extension hereby permitted the proposed dressing area window in the first floor on the northern elevation as shown on drawing no. PL2.217.19-04 Rev C shall be fitted with textured glass which obscuration level is no less than Level 4 of the Pilkington Texture Glass scale (or equivalent) and right hand hung to open eastwards 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.
- 4 The development hereby permitted shall be carried out in accordance with the following approved plans:

Drg no. PL2.217.19 -01 Rev A	Location plan, existing and proposed site plan, existing floor plans
Drg no. PL2.217.19 -02 Rev A	Existing elevations plan
Drg no. PL2.217.19 -03 Rev C	Proposed floor plans
Drg no. PL2.217.19 -04 Rev C	Proposed elevations plan

Reason: - To ensure provision of a satisfactory development.