

Recommendation: **GRANT PERMISSION**

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**

**Arboriculturalist**

No objection. The two protected Hornbeams at the front of the property should not be affected by the proposals providing there is no storing/mixing/burning of materials on the grass or near the trees.

NB: Informative recommended.

**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: 9

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 5

| Comment                                                                                                                                                                | Officer Comment                                                                                                               |
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| We cannot stress how strongly we feel about the proposed substantial extension to no. 4 Silvertrees.                                                                   | This refers to the original scheme for a two storey rear extension and single storey side and rear extensions. See section 7. |
| At present our property is subject to flooding in the areas adjacent to our boundary with no. 4 Silvertrees because there is nowhere for the surface water to run off. |                                                                                                                               |
| The proposed substantial extension will mean that the building of a wall and associated ground works so close to                                                       | This is a civil matter which would need to be resolved between the applicants and their neighbour.                            |

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| <p>our boundary will prevent any run off of surface water from our property and result in serious flooding rendering a large part of our garden unusable most of the year.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                      |
| <p>The Emsworth Residents' Association objects to this proposed planning application, on the basis that the proposed development will have a detrimental affect on the visual amenities, privacy, and the quiet enjoyment of the adjoining property in Wickor Close:</p> <ul style="list-style-type: none"> <li>- The proposal of a two storey height extension, right up against the boundary, will result in overshadowing and loss of light and outlook for the adjoining property to the north, at 4 Wickor Close.</li> <li>- The proposed development will result in an excessive building bulk, right up to the boundary, adjacent to 4 Wickor Close.</li> <li>- The proposed additional window on the second storey are likely to give rise to direct overlooking of the adjacent properties to the detriment of the privacy and amenities of 4 Wickor Close. (If the Planning Department is minded to approve this application, we ask that this additional window be obscure glazed).</li> </ul> | <p>This refers to the original scheme for a two storey rear extension and single storey side and rear extensions. See section 7.</p> |
| <p>There is further information that we would like clarified in addition to those details provided on the drawings.</p> <ol style="list-style-type: none"> <li>1. The proposed extension on the northern side would seem to be considerable higher than 'single storey' where indicated. The east elevation shows a single storey of some 20mm whereas the north elevation measures 27mm on the plan. We do not believe that this is truly a single storey at the height indicated.</li> <li>2. Please clarify whether the roof lights in the northern extension will be both fixed and have obscured glass, as we</li> </ol>                                                                                                                                                                                                                                                                                                                                                                             | <p>Response sent by case officer on 12 December.</p>                                                                                 |

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| <p>foresee there could be privacy issues. The extension on the north side would appear to be intended as a kitchen and there is the issue of ventilation to consider.</p> <p>3. The area to the south of our garden, adjacent to the proposed extension on the north side, currently floods regularly during periods of excessive rain. Should this development take place we have serious concerns regarding drainage. The soil is clay and not very permeable and any water that lies takes a considerable time to drain away. This flooding also occurs in our neighbours' gardens in Wickor Close, whose properties suffer similarly. The proposed development will reduce the area for run off of this rainwater as a considerable amount of land will be put down to concrete. It can only exacerbate the situation.</p>                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                |
| <p>First of all we are very concerned about the health and safety of the residents of 2a, 3,4 and 5 Wickor Close, all of which are bungalows with their rear aspect facing Silvertrees.</p> <p>Wickor Close slopes to the south and thus towards 4 Silvertrees. Prior to the erection of these bungalows a small river or stream flowed down where Wickor Close is now and as nature will take its course during heavy rain the water floods down the close and at times the drains are unable to accept all the water. We continually clear away any debris near the drains on both sides of the Close to ensure that any surface water has clear drainage but often this still results in overflowing into the rear garden. The soil is clay and the gardens have sheds and greenhouses which have electricity supplies.</p> <p>If the current owners of 4 Silvertrees lay even more concrete to the proposed extension and paving then this water will not drain away into the soil as it should and this will only exacerbate the existing problem.</p> | <p>This refers to the original scheme for a two storey rear extension and single storey side and rear extensions. See section 7.</p> <p>This is a civil matter which would need to be resolved between the applicants and their neighbour.</p> |

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| <p>Furthermore if the planning application is granted the sunlight on the gardens will be depleted completely and our greenhouse will be unusable. Our garden is something that we value and that we currently enjoy. The lack of sunlight and privacy would deprive us of this. Had this property at 4 Silvertrees been extended as is currently proposed at the time of viewing our bungalow then we would not have purchased this bungalow in the first place due to the lack of sunlight and the being overlooked.</p> <p>Bearing this in mind should this extension proceed then it would certainly follow the fact that 4 Silvertrees will increase in value and that of the bungalows at the southerly end of Wickor Close would decrease. This would in my mind create friction between the neighbours.</p> <p>We hope that the Planning Section of Havant Borough Council will appreciate our concerns when considering the application.</p> |                                                                                                                                      |
| <p>Having reviewed the available documents a number of concerns are raised.</p> <p>The development calls for a two storey extension to the north and east elevations. As you are probably already aware the north and east boundaries are adjacent to the gardens of six properties, four to the north and two to the east.</p> <p>These properties are bungalows. The two storey development plan shows the movement of an existing upstairs main window (bedroom?) further to the east boundary by several metres. In doing so the occupants would be afforded a better view of, and be closer to the private spaces of several of the bungalows.</p>                                                                                                                                                                                                                                                                                               | <p>This refers to the original scheme for a two storey rear extension and single storey side and rear extensions. See section 7.</p> |

It is known that at least one of the neighbouring bungalows has a restrictive covenant preventing the construction of windows above plate level. This is to protect the integrity of the privacy in neighbouring properties.

The proposed movement of the upstairs window closer to the boundary would seemingly create a conflict in the privacy rights of neighbouring properties.

The plan of the North elevation shows an approximate increase in area of 30%. Being a two storey construction this elevation becomes overbearing in scale when considered alongside the single storey neighbouring buildings as the proposal places the construction right next to the boundary.

The length of the side extension plan shows a substantial increase in length of approximately 200% (no dimensions available), the footings of which will be right on the boundary next to the fence. The excavation of these footings may even encroach past the boundary line at depth. This poses a risk to neighbouring trees and shrubs with the potential for root trauma as well as ongoing issues with irrigation and loss of light. Consideration should be given to mitigate these concerns during planning, else it could render the authorities complicit in the damage caused.

Builders just dig holes according to plans, it is the planners who must consider these risks.

Emsworth is known to have a high water table and has areas with greater flood risk as highlighted by the councils own "Emsworth Flood Risk Assessment" document and the NRA flood risk maps. The development property is situated near to the edge of the river Ems flood risk zone and just a few years ago a flooding event was experienced in neighbouring

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| <p>properties that resulted in gardens under several inches of water due to prolonged rain and ground saturation.</p> <p>With the seemingly unabated development in the local area this inevitably results in the loss of natural drainage and raises a concern with the development site. Whilst no dimensions are present on the plans an assessment could conclude the footprint of the proposed development (with associated patios) could be doubling in size, significantly reducing the soak away capability on the plot. Measures would need to be taken to ensure surface water has sufficient drainage.</p> <p>In conclusion, the development proposal could compromise the privacy of a number of surrounding bungalows with excellent views overlooking their private spaces. The scale of an already large house will be increased further thus creating an overbearing (relative to the surrounding bungalows) north elevation right against the boundary.</p> <p>Whilst the choice of elevations for the extensions is understandable, we hope the planning authorities will show balanced consideration for neighbouring properties.</p> |                       |
| <p>We refer to our earlier correspondence concerning the proposed development of 4 Silvertrees, and have had an opportunity of considering the revised plans as submitted. Whilst this is a better option than the original proposal most of our original objections remain regarding the extension of an already substantial property.</p> <p>The revised plans show that there are to be 3 windows in the single storey north extension, which directly abuts on to our garden. We would be most unhappy if these are not both fixed and obscure glass insofar as the privacy afforded to our property. This also applies to the light in the northern slope of the roof.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <p>See section 7.</p> |

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| <p>If these windows/roof light are neither fixed or obscure we would wish to add this to our previously detailed objections.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <p>See section 7.</p>                                                                                     |
| <p>Further to our email of 28th December, and a chance meeting with the previous owner of 4 Silvertrees, there is a further aspect of the proposed development we would like to bring to your attention.</p> <p>The current building had been previously extended from the original to incorporate the utility room on the northern aspect. The size of this extension had to be restricted to its current dimensions due to the existence of two mains drain manholes along that northern side, the two manholes are situated outside each of the existing access doors.</p> <p>The proposed plan would appear to incorporate building directly over the drain to the east of the current utility room, with the drain running beneath its footprint.</p> <p>We believe that this adds further credibility to the concerns expressed both by us and our neighbours in relation to the drainage of the plot and whether adequate precautions will be taken to avoid exacerbating the existing problem.</p> <p>We would ask that this information form part of our original objection to the development.</p> | <p>This is a civil matter which would need to be resolved between the applicants and their neighbour.</p> |

## **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 side and rear extension, a new dormer to the front, two dormers to the rear and a roof light to northern roof slope to provide accommodation within roof space. The property is situated at the end of a private drive from a cul-de-sac and would not be visible from the public realm.
- 7.4 The original scheme was for the construction of a two storey rear extension and single storey side and rear extension. However, following officer concerns regarding the mass of the extension and potential impact on the neighbouring properties to the north and east, a revised scheme was submitted removing the two storey rear extension.
- 7.5 A number of objections were received relating to the original proposal, however the points addressed in this section are pertinent to the revised scheme.
- 7.6 The proposed single storey side and rear extension will join the existing side projection (including a new roof to this part of the property) with a depth of 6.75 metres to the northern elevation, extending across the width of the property to a depth of approximately 3.9 metres to the southern elevation with a mono-pitched and hipped roof with a flat roof element. It has a modest height of 3.2 metres which is 0.5 metres lower than the height of the existing side projection.
- 7.7 Although the dormers to the rear are close to the ridge height, they are of a modest size and a well balanced, acceptable design. It is noted the dormers fall within the criteria for permitted development, however the original permission under which the property was built had a condition withdrawing permitted development rights.
- 7.8 The small dormer to the front is set well below the ridge height and whilst the Havant Borough Council Design Guide SPD advises that dormers should have pitched roofs, there is an existing flat roof dormer to the front of the property which is part of the original design. Furthermore, the property is situated at the end of a private drive and is not visible from the public highway.
- 7.9 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.

(iii) Effect on neighbouring properties

- 7.10 The side element of the single storey extension will abut the boundary to the north. Concern has been raised that due to the proximity of the extension to this boundary there could be a degree of overlooking and loss of privacy to the occupiers of the property to the north from the proposed roof lights in the side extension and main roof slope. It is recognised that the northern boundary of the application site is adjacent to the rear gardens of bungalows in Wickor Close and although there is an existing first floor window in the northern elevation of the property, it serves an en-suite and is obscurely glazed.

- 7.11 Therefore, in order to lessen the perception of overlooking and loss of privacy to the properties to the north, a condition is recommended for the roof lights on the northern elevation to be fitted with obscure glazing and window restrictors. Whilst the extension is relatively deep, as it is single storey and of a modest height, It is considered this element of the scheme would not have any overbearing effect on the occupiers of neighbours to the north.
- 7.12 Typically, the siting of the proposed extension could be considered to lead to a loss of light to the neighbouring property to the south. However this property is set forward of number 4 and due to the existing relationship between the two properties, the original house falls within the overshadowing zone of the neighbouring property. The extension is of a modest depth and height and it is therefore deemed any impact on this property would be nominal.
- 7.13 The dormers to the rear could be perceived to increase the level of overlooking to the properties to the east. However there is a distance in excess of 45 metres from the proposed rear dormers and the rear elevations of the properties to the east which meets the 24 metre distance recommended in the Havant Borough Council Design Guide SPD. Additionally a degree of overlooking already exists from the rear first floor windows and it is judged the dormers would not result in any additional overlooking.
- 7.14 Regarding the new front dormer, it is considered the properties opposite and to the south of the site are a sufficient distance away for any impact to be negligible. Due to the design of the house, the front dormer will not be visible from the properties to the north.

(iv) Parking

- 7.15 There is 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). It is considered there is existing sufficient parking on the site, therefore a condition would not be necessary in this instance.
- 7.16 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).

## **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/18/01065 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 be as indicated on the submitted forms and hereby approved plans, or 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 development hereby permitted, the roof windows in the single storey extension and the roof window on the northern side of the property shall be fitted with textured glass which obscuration level is no less than Level 4 of the Pilkington Texture Glass scale (or equivalent) and fitted with restrictors, which are to restrict opening to a maximum of 50 mm for ventilation and retained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In the interests of the amenities of the occupiers of the neighbouring 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:

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|------------------------------|---------------------------------------|
| Drg no.PL.228.18-01          | Existing floor and roof plans         |
| Drg no.PL.228.18-02          | Existing elevations plan              |
| Drg no.PL.228.18-03 Rev A    | Location plan, site plan and proposed |
| ground and first floor plans |                                       |
| Drg no.PL.228.18-04 Rev A    | Proposed elevations plan              |
| Drg no.PL.228.18-05          | Proposed second floor and roof plans  |

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