

Recommendation: **GRANT PERMISSION**

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist

No trees will be affected by the proposed development therefore I have no objection to the proposal.

County Ecologist

Updated comments:

Many thanks. On that basis, I'm content to say that no ecological information is required.

Original comments:

Thank you for consulting me on this application. Please accept my apologies for the delay in responding to you.

The application is not accompanied by any ecological information and I have therefore carried out my own non-exhaustive desk-based assessment using the application documents, online sources and recent GIS mapping. Whilst I would not expect the existing dwelling to be of particular ecological interest, there may be opportunities for roosting bats and nesting birds. Unfortunately I am unable to ascertain from the submitted documents the extent to which the dwelling offers suitable habitat for these species. The presence of mature woodland to the rear of the property increases the likelihood of bats being present in this area.

In this instance I would be willing to review recent, good quality photographs of the parts of the building to be impacted (these should show all areas affected, especially roof tiles and ridge tiles and the interior (ceiling and floor surfaces) of any roof void). I must stress that it is not the role of the LPA to determine ecological impact. Should photos prove inconclusive or demonstrate that surveys are required (e.g. by demonstrating that crevice features are indeed present) I would recommend that the applicant commissions a Phase 1 ecological survey of the site: this should include an assessment of the potential for the site to support protected species (to be provided by a qualified ecologist (see Natural England guidance on finding a suitably-qualified ecologist). The Chartered Institute of Ecology and Environmental Management (CIEEM) (www.cieem.net) holds a database of suitably-qualified ecologists.

A Phase 1 ecological survey will determine whether there is any evidence of protected species or whether the site offers habitat suitable for supporting protected species, and whether the proposed works are likely to result in impacts to those habitats or species. Unless the consultant is able to conclude that there is no reasonable likelihood of protected species being present (due to negligible potential) or, that if present they are not to be impacted by the works, it is likely that further ecological survey work (Phase 2 survey) will be required prior to determination of the application. The results of any further surveys should be used to provide an assessment of the likely ecological impacts of the proposed works and to inform any mitigation measures.

NPPF, Circular 06/2005 and Natural England Standing Advice on Protected Species, require that planning decisions are based on full, up-to-date ecological

information and it is essential that all necessary survey, assessment and mitigation information is available to the LPA prior to determination, particularly in the case of protected species, which are a material planning consideration. This will enable the LPA to determine the application on the basis of full knowledge about the ecological impacts of the proposal and to ensure that any impacts can and will be mitigated, and are acceptable.

If you have any queries please don't hesitate to contact me.

Environment Agency

No comments

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
<u>Updated Comments</u> We wish to raise an objection to the revised proposal. Whilst we appreciate the revised plans do partially address the issues raised in the original Objection, we feel that the two storey extension would still have an overbearing impact on our patio, garden and the whole of the rear of 5 Highfield Avenue property, as a result. We reiterate the previous Objection issues as shown below:- The development seeks approval for the provision of a pitched roof above the existing flat roofed side extension and the erection of a sizeable two storey rear extension. The main issues of concern regarding the development are the proximity of the single storey side extension and two storey rear extension to the shared boundary with 5 Highfield Avenue and the resultant harm created through overshadowing, overbearing effect, loss of light and loss of outlook. The single storey extension is sited	See section 7

approximately 1.5m off the shared boundary. The flat roof ensures that this extension remains subservient to the host dwelling whilst allowing enough levels of light to the rear of 5 Highfield Avenue and maintaining an appropriate outlook. The creation of a pitched roof will result in a higher structure close to the shared boundary and a reduction in light level to the rear of 5 Highfield Avenue. This is further compounded by the large two storey rear extension.

The combination of the new roof over the single storey side extension and the erection of a two storey rear extension would result in an excessive and extensive built form at a two-storey height along the entire length of the rear boundary. The two-storey depth of 7 Highfield Avenue being extended to approximately 13 metres. The habitable space to the rear of 5 Highfield Avenue includes a home office, lounge, kitchen and conservatory. Each of these spaces will be overshadowed by the proposed extensions with the total loss of outlook and sunlight from the east as a result. This is wholly unacceptable in planning terms and is contrary to the principle concerns of policy CS16 High Quality Design of the Havant Borough Local Plan (Core Strategy), criteria 1 (e) "The development does not cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking".

The inability to continue to enjoy the living space and garden area to the rear, the latter of which includes a hot tub, not only conflicts with policy requirements that seek to preserve residential amenity but also the Human Rights of the current occupants of 5 Highfield Avenue. There is also concern regarding the relationship with 9 Highfield Avenue as the two storey addition would encroach within the 45-degree (elevational) angle. This would result in unacceptable levels

of overshadowing, loss of light and overbearing effect, particularly to the rear conservatory.

An aerial view of the surrounding area shows that rear extensions are predominantly single storey. This is no doubt a result of the orientation of the site and the fact that the gardens along this section of Highfield Avenue are north facing. Any substantial development at a two-storey height at the rear could not avoid adversely impacting upon the residential amenities of direct neighbours to an unacceptable degree. This development is no exception with the residential amenities of both 5 and 9 unacceptably harmed by the height, depth and scale of the two-storey rear extension proposed.

There has already been photographic content to illustrate the harm that would arise in respect of loss of light and outlook from 5 Highfield Avenue as part of the previous letter of objection. The photos clearly illustrate that the visible sky would be replaced by the built form of the two-storey rear extension to the clear detriment of the residential amenities of 5 Highfield Avenue. However, the development as viewed from 5 Highfield Avenue along with the proximity of the development to 5 and the amount of built form would result and its subsequent impact.

Original Objection

Objection regarding:

The works would result in overshadowing, overbearing effect, loss of light and loss of outlook. The combination of the new roof and two storey rear extension would result in excessive and extensive built form along the entire length of the rear boundary.

This is unacceptable in planning terms and is contrary to the principle concerns of policy CS16.

Would impact the living and garden space of No 5.

Would result in unacceptable levels of overshadowing, loss of light and

See section 7

overbearing effect, particularly to the rear conservatory of No 9. This is out of keeping to other development in the streetscene which is single storey only.	
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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 works proposed to No 7 include a single storey rear extension, two storey rear extension and a new roof proposed on an existing side extension to provide a greater living space to the occupants of the dwellinghouse at ground floor and provide additional bedrooms at first floor.

7.4 Excluding the roof proposed on the single storey side extension the proposed development is, in the majority, positioned to the rear of the application site and from being within the existing elevations of No 7 the works shall be screened from Highfield Avenue protecting the existing appearance of the streetscene from the highway. The proposed roof on the side extension shall be modest in scale and although viewable, shall be set back from the front elevation and away from the highway by approximately 22.5m which is considered a suitable distance to ensure that the visual impact caused as a result is acceptable.

7.5 Concern has been raised that the majority of development within Highfield Avenue is single storey only and that the two storey element proposed to the rear of the dwelling would be out of character to the locality. However, No 7 and the neighbouring dwellings are positioned within the built up area where there is a presumption in favour of sustainable development pending the works not resulting in significant harm. Although it would be noted that typically single storey works are present within Highfield Avenue the works proposed to No 7 are set down from the ridge height, continue the building line of the property and are set in from the side elevations creating an acceptable development which is proportionate and acceptable to No 7 and the plot size available. Were other dwellings to follow with similar proposals for development taking into account this assessment a harmful precedent would not necessarily be set by permitting the works at No 7 and due to the generous plot sizes afford to the dwellings and No 7 in particular a two storey development is considered to be comfortably accommodated without resulting in significant harm to the locality. Furthermore following a site visit the dwellings along Highfield Avenue do not have a set uniformity in terms of their scale, position in plots and design and therefore the development proposed at No 7 is considered to not significantly disrupt this and would

create an acceptable impact to No 7, the pattern of development and character of the area.

- 7.6 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

- 7.7 No 9 Highfield Avenue is the adjacent property to the east and is set back in its plot modestly to No 7 with a single storey conservatory to the rear. The proposed works at No 7 although set off from the boundary extended the dwellinghouse at two storey height to a large scale and concern was raised that this would adversely impact light levels reaching the neighbours conservatory. Plans have since been amended which reduce the depth of the two storey works which alongside the set off from the boundary, being set down from the ridge height, pitched to the west and hipped at the rear is considered to reduce this impact significantly creating a development which is considered to be acceptable and neighbourly.
- 7.8 No 5 Highfield Avenue is the dwellinghouse to the west and has a single storey office extension along the rear elevation to the south end of the dwellinghouse with a kitchen/utility extension at single storey to the north end both of which look out across to No 7. Concern has been raised in regards to the proposed development and that it would lead to an over-bearing appearance from the property and garden space alongside impacting light levels reaching the neighbour and impacting the outlook and existing standard of living afforded. A site visit was performed and it was noted that No 5 has a rear amenity space in line with No 7 but that the amenity space also surrounds the dwellinghouse to the south side and front west of the application site which provides a garden provision which shall not be impacted by development and a suitably deep garden space to the rear which creates a distance between the dwellinghouse and proposed development.
- 7.9 The single storey extension to the west side is not being altered in scale apart from a new roof which is proposed. The works are modestly higher than the height allowed to be developed under Permitted Development Rights and therefore an assessment has to be undergone as to what additional harm is caused by this modest height increase. Alongside this modest increase in height the roof has been designed to be pitched away from No 5 reducing the visual impact of the works and any over-bearing appearance caused. Furthermore, the works shall be set off the shared boundary with No 5 by approx 1.5m which complies with guidance outlined in the Borough Design when it comes to acceptable development. Therefore the additional height created by the proposal is considered to not create significant additional harm to No 5 and the works are considered to be acceptable.
- 7.10 The two storey part of the proposal has since been reduced in depth projecting from the rear elevation by approx 3.3m improving the relationship between No 5 and the proposed works greatly. This extension shall be set off the shared boundary with No 5 by approx 6.5m and from the neighbouring dwelling by approx 13.5m which alongside a pitched roof design to the east, lower ridge height than that of the existing and hipped roof to the rear is considered to create a suitable development which would not create a significant over-bearing impact nor impact to light levels reaching the dwellinghouse or creating shadowing as a result. The rear extension at single storey shall be set away from No 5 by a minimum of 15m which is considered to result in a

negligible impact. The works therefore are considered to be acceptable and would not result in a significant level of harm that would warrant a refusal of planning permission.

- 7.11 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).

(iv) Parking

- 7.12 The dwellinghouse shall increase from a 4 to 5 bedroom home and as such the existing provision onsite is suitable to meet with this number of bedrooms as outlined in the Boroughs Parking SPD. The works are therefore considered to be acceptable.

8 Conclusion

- 8.12 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/19/00085 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 development hereby permitted shall be carried out in accordance with the following approved plans:

Proposed Floor and Elevation Plan: Drawing No 9262.16 01 received 27.03.2019

Proposed Block Plan: Plan Number TQRQM19028142247162

Location Plan: Plan Number TQRQN19028142324251

Section Plan: Drawing No 9262.16.3

Reason: - To ensure provision of a satisfactory development.

- 3 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.