
Site Address:	42 Rails Lane, Hayling Island, PO11 9LW		
Proposal:	Single storey side and rear extension and loft conversion.		
Application No:	APP/19/00096	Expiry Date:	02/04/2019
Applicant:	Mr Wallis		
Agent:	Mr M Tuson	Case Officer:	Emma Chisnall
	MT Planning		
Ward:	Hayling East		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 42 Rails Lane is a semi-detached two storey property situated to the north of St Hermans Road and to the east of Rails Lane. The dwellinghouse is situated on a slight incline of land to the north and is constructed of facing brickwork and concrete tiles. To the front the amenity space is modest in size and hard-surfaced in order to accommodate two cars. To the side and rear of the dwellinghouse a modest amenity space is available which is mostly laid as lawn. An outbuilding is present within the north west corner. A curtilage boundary surrounds the application site which consists of 1.8m timber fencing.
- 1.2 The application site is situated in a residential area.

2 Planning History

None

3 Proposal

- 3.1 Single storey side and rear extension and loft conversion.

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)

DM13 (Car and Cycle Parking on Residential Development)

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)

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: 5

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 2

Comment	Officer Comment
<u>Amended Comments:</u> I have reviewed the amended plans and the only change is to move the extension wall at the rear of the property to take account of the drain on the boundary wall. All of my previous comments still stand and I still object to this single storey extension and loft conversion going ahead. Given the noise and disruption that the front extension building work at 42 Rails Lane has caused me over the passed few months, I dread to think of the disruption that building a rear extension will cause me and my home life!	See section 7
<u>Original Comments:</u> Having reviewed the plans for the proposed single storey side and rear extension and loft conversion for 42 Rails Lane, Hayling Island, PO11 9LW, I feel that the main adverse impacts on my property would be a severe reduction in light levels into the kitchen and rear garden.	See section 7
The combination of the extensions dimensions and its proximity to the mutual boundary would lead to a loss of light and a serious overshadowing to	See section 7

my property throughout the afternoon.	
My kitchen window is very close to the proposed extension site and the elevation/ 45 degree angle of the roof of the proposed cinema room would block out much needed daylight to my property.	See section 7
The rear garden of my property already has restricted daylight as it faces the external side wall of another property. If the proposed extension is to be approved, the overshadowing and loss of daylight caused would make my garden appear to be dark and closed in therefore making it unusable.	See section 7
This will result in a loss in value of my property should I wish to sell it in the future.	Not a material planning consideration
There is a manhole cover for a drain in the rear garden that sits on the boundary of our properties. I can't see that this has been taken into consideration on the proposed extension plans of the cinema room as this is situated on the boundary fence. Single storey extensions should be at least 1 metre from the boundary with adjacent properties as per Havant Borough Design Guide SPD (section 5.40 Single Storey).	See section 7
I feel that the additional noise generated by having a cinema room (and the equipment associated with that) next to my kitchen would prove very intrusive on the kitchen and rear garden of my property.	See section 7
As per the Party Wall Act 1996, a party wall agreement is required by neighbouring homeowners. I do not want any of the party walls of my property to be affected by the proposed loft conversion at all!	Not a material planning consideration and to be determined/decided between neighbours under civil law.
Taking all of the above into account, I feel that the application for the proposed single storey side and rear extension and loft conversion should not be permitted because it conflicts	See section 7

with the requirements of the Overarching National Policy (section 5.11 Noise and Vibration) and Havant Borough Design Guide SPD. (Sections 5.39 & 5.40 Single Storey extensions and sections 5.41 to 5.44 Rear Extensions).	
I am certain that if an inspector were to visit my property to assess the concerns I have raised, they would agree that the current proposed application is unreasonable.	See section 7

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 42 include a single storey rear and side extension with a loft conversion which shall provide a study room in the roof space. At ground floor the works shall create a cinema room, store, utility, w/c and porch.

7.4 The proposed extensions at ground floor shall be single storey in height with a mono-pitched roof which shall reduce the visual dominance of the development. Concern has been raised that the works are too close to the boundary line and are contrary to the Boroughs Design Guide. Following a site visit this was agreed to be a concern and plans were amended which set both extensions off the shared boundaries to the north and east by 1m. This does ensure that the development complies with the Borough Design Guide in terms of separation distances between single storey works and boundaries. Therefore the works are considered to accord with this policy and not result in significant harm as a result. From being built in matching materials to that of No 42 the works shall appear in keeping and not look out of place. This shall be conditioned as part of the decision.

7.5 The proposed loft conversion involves a hip to gable enlargement which does not require planning permission and could be built outside of this application. Therefore the works are considered to not result in significant visual harm to No 42 and the locality and are considered to be acceptable. The ridge line shall not be increased and two additional rooflights shall be fitted to the front and rear roof space. The proposed rooflights are considered to be modest and appropriate in scale to the roof space available at No 42 therefore resulting in a limited and acceptable visual impact.

- 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 The adjacent property No 1A St Hermans Road has the potential to be impacted by the proposed single storey extension to the rear of No 42. However, following a site visit and amendment of the plans the single storey rear extension shall be set off the shared boundary with No 1a by 1m and has been reduced in depth by 1m which shall ensure that the works comply with the Borough Design Guide and do not result in a significant adverse neighbourly impact. The roof shall be pitched to the south which shall reduce this impact further and combined with no objection being made the works are considered to result in a limited and acceptable impact. Furthermore with no windows proposed in the side elevation privacy levels are considered to be retained between the neighbours as a result of the development.
- 7.8 Concern has been raised that the dwelling to the rear of No 42 shall be adversely impacted by the proposed development impacting light levels reaching a habitable room which is served by a window in the front elevation and creating shadowing impacting this room and the rear garden space. Comments have been made regarding the noise caused by the construction of the works however as this development is considered to fall within a householder application the scale of the works being modest would not warrant any further control in terms of the impacts of noise caused by the construction of the development.
- 7.9 Following the concern raised and a site visit being performed the works were considered to be potentially harmful to No 44 Rails Lane and the plans were amended which set the single storey works away from the shared boundary by 1m which creates a total separation of the development from the neighbour of approx 3m. The roof is also pitched to the south which shall ensure the highest part of the development is further away from the neighbour. As the works now comply with the Borough Design Guide in terms of separation distances the development is considered to not result in a significant un-neighbourly harm. Combined with the set off from the boundary, the design and height of the works alongside the 1.8m timber screening in place the works would not be harmful enough to warrant a refusal of planning permission and are therefore considered to be acceptable.
- 7.10 No windows are proposed in the rear elevation of the single storey rear extension which shall protect privacy levels between the neighbours. Although concern has been made regarding noise generated from the home this is not something that can be controlled by the planning team at a domestic scale and would need to be raised with Environmental Health were, following the works, the noise levels considered to be un-acceptable.
- 7.11 The alterations of the roof have already been established to be carried out under Permitted Development Rights and without the requirement for formal planning permission therefore resulting in an acceptable impact. The rooflights similarly would not require planning permission to be installed in the rear roof elevation. However, that aside the windows shall serve a study and be modest in scale and in line with the front of No 44 only which is already open to public view from Rails Lane. Therefore the impact caused is considered to be limited and acceptable and it is not considered

necessary or justified to require alterations to this proposal.

- 7.12 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/19/00096 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 Site, Floor and Elevation Plan: Drawing No MT/1547/1 Revision B
Received 02.05.2019

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.