
Site Address: 8 London Road, Widley, Waterlooville, PO7 5BS
Proposal: Amendments to Planning Permission APP/16/00409 relating to front elevation dormer windows, alterations to single storey flat roofed rear extension and location of access gates.
Application No: APP/18/00141 Expiry Date: 12/04/2018
Applicant: Mr Black PAA **25/05/2018**
Agent: Mr Galloway Case Officer: Karen Wooden
 Peter Galloway Partnership
Ward: Purbrook
Site Visit Date: 14/04/2018

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site comprises a semi detached single storey bungalow with red roof tiles and facing brickwork with render above. The site is relatively level with open vehicular access and a garage to the rear of the property, accessed from The Brow. The front garden area has been hard surfaced and provides curtilage parking for several vehicles.

The property is located on the corner of London Road and The Brow. An application was approved in 2017 for the construction of a bungalow within the curtilage of the property, to the east of the original dwellinghouse.

The area is residential in nature with a medium density. The surrounding area is made up of a one and two storey properties of varying ages and styles.

2 Planning History

APP/16/00409 - Proposed 2No. pitched roof dormers to front and 1No. pitched roof dormer to rear. Proposed rooflights to rear and side (south) elevation.,
PERM,15/06/2016

APP/17/00179 - Erection of 1No. 2 bed bungalow- amended plans reducing eaves height and roof bulk, PERM,13/04/2017

APP/18/00051 - Variation of Condition 2 of Planning Permission APP/17/00179 to be carried out in accordance with the following approved plans: 17/01/B01 revA, 17/01/P01 revD and 17/01/P02 revD., PERM,22/02/2018

3 Proposal

Amendments to Planning Permission APP/16/00409 relating to front elevation dormer windows, alterations to single storey flat roofed rear extension and location of access gates.

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)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Developer Services, Southern Water

The exact position of the public sewers must be determined on site by the applicant before the layout of the proposed development is finalised.

Please note:

No development or new tree planting should be located within 3 metres either side of the external edge of the public sewer and all existing infrastructure should be protected during the course of construction works.

No new soakaways, ponds, swales or other water retaining or conveying features should be located within 5m of a public sewer.

It should be noted that the submitted by the applicant drawing Proposed Bungalow, Block Plan number 17/01/B01 does not relate to the proposals of the planning application.

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.

The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

Highways Engineer, Development Engineer

This application should be determined by the Planning Authority using the Highway Authority's Standard Guidance
Their advice is

Requirements for the provision of any gated access points for vehicles

1.1. If gates are to be fitted across the vehicle access then these must open away from the

highway (inwards). To ensure that there is sufficient space for a vehicle to exit the highway gates

must be set back 6m from the edge of the carriageway.

If gates are proposed the following condition should be placed on the permission:

Any gates provided shall be set back a distance of 6m from the edge of the carriageway of the

adjoining highway.
Reason - In the interests of highway safety

Further comments from Highways Engineer, Development Engineer

It has been pointed out the original application 16/00409 was granted permission before the Planning Authority was instructed in April 2017 to use the Standard Highway Guidance to determine smaller application. At that time the minimum set back of a vehicular gate was 4.5 m and in this particular case it would not reasonable to insist on a 6m set back that would negate the approved car park and turning area.

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: 8

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 7

Comment	Officer Comment
Work on the conservatory was stopped by planning as planning approval was needed. The developer/owner has taken approx. 4 1/2 sq metres more land from a very small area left, which was not on original plans. The small garden that will be left is due to the rear garden being approved for a new bungalow with a greatly under sized garden	Addressed in Section 7.7
Description of proposed works with misleading heading of 'Loft Extension', there is no mention of drop kerb, gates, drive or hardstanding under this heading. We object to drop kerb, height of gates and fence, hardstanding and recess to splay as already mentioned in correspondence to the Head of Planning.	The dropped kerb, drive and hardstanding are Permitted Development and therefore do not require Planning Permission. The fencing was granted permission under application APP/16/00409 and therefore are not being considered as part of this application. The location of the gates is addressed in Section 7.9, 7.10, 7.11 & 7.12
The comments from The Highways Authority Consultee for this planning application states that any gates provided to the new drop kerb entrance shall be set back a distance of 6m from the edge of the carriageway of the adjoining highway, The Brow, in this instance, in the interests of highway safety which we fully agree with.	Addressed in Sections 7.10 & 7.11
The Hants/web site, clear visibility guidance states, that a	The fencing was granted

visibility splay of 2.4 metres by 2.4 metres should be kept below 600 mm high ie wall/fence, must be provided to the footpath, so that lines of sight are not obstructed, and as of yet there is no recess for the 2nd drop kerb driveway with fence and gates being 1.8m high erected on the southern boundary of the property.	permission under application APP/16/00409 and therefore are not being considered as part of this application. Notwithstanding this, addressed in Section 7.12
It is impossible for any vehicles emerging from the driveway to see any pedestrians walking on the pavement until the front of the vehicle is virtually on the kerb line due to 1.8m high fences and gates. Neighbours have already witnessed pedestrians with young children and children in buggies being restrained because of emerging vehicles coming out backwards.	Addressed in Section 7.12
This new driveway affects all neighbours at the top end of The Brow and we are very surprised and concerned that The Highways Authority gave permission for a second drop kerb.	The appropriateness of the location of the dropped kerb would have been assessed by the Highways Authority prior to the works being carried out. As The Brow is not a classified road the dropping of the kerb did not require planning permission.
Much of the hedge facing onto my drive way has died and recently Mr Black has put up a fence. I feel that if work is to be done down the side of the property e.g laying of pipes and the flat roofed rear extension. It would be sensible to continue the fence in order to protect the remaining hedge and provide privacy for me and my neighbour.	The applicant has agreed to erect 2m fencing along the northern boundary as shown on amended plan 16/100/BR01 (rev j)
Proposal fails to mention hip to gable roof extension which is out of character with the rest of the houses in The Brow.	There is no hip to gable element to this application.
Applicant has not submitted results of a bat survey despite proposing substantial roof modifications.	The alterations to the roof are not part of this application.
Applicant has not submitted a tree report despite removing a substantial length of hedging and a number of mature trees.	It is not considered that the elements proposed as part of this application would have an impact on trees. The hedge which is to be replaced with fencing on the northern elevation is considered to be in a poor condition.
Block Plan shows a building on site immediately east of 8 The Brow that is not represented on plans 16/100/BR01 Rev F or 16/100/BR02 Rev E. This is a grave omission as the full effect of this proposal cannot be appreciated without accurate drawings.	The proposed bungalow to the eastern side of the dwelling, as approved under application APP/17/00179 has not been constructed and therefore it is not deemed

	appropriate to consider this as part of this application. Notwithstanding this, the impact on the amenity space has been addressed in Section 7.7.
Position of soakaway is too close to building and public sewer.	This is not a planning consideration, and will be subject to Building Regulations.
1.8m high close boarded fence is dangerous for pedestrians using The Brow footway; vehicles cannot safely emerge from onsite parking areas due to restricted sight lines caused by high fencing.	The fencing was granted permission under application APP/16/00409 and therefore are not being considered as part of this application.
The plan submitted to support this application 16/100/BR01 Revision H is not a true depiction of the southern boundary fence and gates stated 'as built'. There are two pairs of double gates in line with the 1.8 high close boarded fence. Inexplicably HBC highways made no adverse comments to the gates being too close to the carriageway when APP/16/00409 was approved in April 2016.	The position of the gates has been addressed in Section 7.9 & 7.10.
The submitted drawing for that application 16/100/P01 rev 'A' clearly shows a dimension of 4920mm to the carriageway which is considerably less than required.	This has been addressed in Section 7.10
This fence is dangerously too high as it restricts visibility not only for vehicles exiting 8 London Road but also from the drive of #1 The Brow.	The fencing was granted permission under application APP/16/00409 and therefore are not being considered as part of this application.
I am objecting to this application for the gates and fence shown on the proposed site plan as there is no visibility splay of 2.4 metres or gates set back 6 metres and a fence of 1.8 metres. There is limited visibility when pulling out or zero visibility reversing out of 8 London Rd.	The fencing was granted permission under application APP/16/00409 and therefore are not being considered as part of this application.
The entrance is too close to the junction according to the Highway Authority's Guidance.	The appropriateness of the location of the dropped kerb would have been assessed by the Highways Authority prior to the works being carried out. As The Brow is not a classified road the dropping of the kerb did not require planning permission.
The Highway Authority's consultee comment should be used	Addressed in Section 7.10

to decide the outcome of this application.	
I am objecting to the amended plan as it does not comply with the Highway Authority guidance with regard to a splay, gates set back 6m from the edge of the carriageway and a fence height of no more than 1m.	Addressed in Section 7.10
The existing fence severely restricts visibility for exiting the property and for other road users.	The fencing was granted permission under application APP/16/00409 and therefore are not being considered as part of this application.
The measurements from the edge of the carriageway are incorrect and vary from plan to plan.	The assessment has been made according to the measurements shown on amended plan 16/100/BR01 (rev j)
The new amended plan shows measurements from the kerb line 5300mm to post, an increase of 380mm. On this new amended plan even the width of the pavement states 3000mm and it is less. There is inconsistency of measurements from one plan to another, being that the right hand post for gate is still in the same line and proximity. The 5300mm is still 700mm short of Highways recommendations and is in conflict with original plan with measurement of 4920mm. Highways recommendations make perfect sense.	The assessment has been made according to the measurements shown on amended plan 16/100/BR01 (rev j). Notwithstanding this, this has been addressed in Section 7.11.
Both plans do not show a splay and this should be enforced with fence under 1m leading to the entrance and return to form the correct splay that Highways require.	The fencing was granted permission under application APP/16/00409 and therefore are not being considered as part of this application.

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 and impact on highway safety
- (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 original application as submitted sought permission for an amendment to the size of

the front dormer window, and an extension to the single storey flat roofed area to the rear of the property. The application was then amended to show the addition of 2m high close boarded fencing to the northern elevation (Permitted Development) and the relocation of the vehicular access gates to regularise the current location which was adjacent to the pedestrianised highway.

Fencing

- 7.4 The 2m fencing can be constructed under Permitted Development rights and furthermore is considered to provide a more secure boundary treatment between the application site and the property to the north (10 London Road).

Alterations to dormer window

- 7.5 The proposal is for the alteration of the glazed unit within the dormer window permitted under application APP/16/00409, to provide means of escape windows. The alterations will be in-keeping with the ground floor windows and it is not considered that this element of the proposal would have a significant impact on either the streetscene or the neighbouring properties.

7.6 Rooflights

The amended application shows the addition of a roof light to northern elevation, and an alteration to the previously approved plan to insert one roof light, rather than two, to the eastern elevation. These works can be completed under Permitted Development rights providing the rooflight to the northern elevation is obscure glazed and fixed shut and it is recommended that this is conditioned. The original permission also included two roof lights to the southern elevation. This application seeks to replace these with one unit which is to be obscurely glazed, with 150mm limiting stay opener. It is considered that this will be acceptable in this instance as the window will face towards the front garden of No. 2 The Brow - an area that is visible from the public domain.

Rear addition

- 7.7 The proposal includes a small single storey rear addition to the north eastern side of the existing dwelling. The proposal will extend the existing rear lobby area by approximately 1.4m to provide a more practical living area. The proposed extension will be set approximately 0.4 back from the rear wall of the main dwellinghouse. Concern has been raised that the proposal will have a negative impact on the garden size, which will be significantly reduced should the plots be divided to allow for the construction of the permitted bungalow (reference APP/17/00179), however it is not considered that the refusal of this small infill extension could be justified. The materials to be used are to match those used on the existing dwellinghouse.
- 7.8 The design and appearance of the proposals above are 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.

Relocation of gates and associated impact on highway safety

- 7.9 The main areas of concern received in relation to this application relate to the fencing and gates along the southern elevation of the property. The addition of fencing to a height of 1.8m was approved under a previous application - APP/16/00409 and therefore can not be considered as part of this application. The previously approved application showed the access gates, providing vehicular access to the front of the dwelling, were to be sited 4.92m back from the highway. However it was noted on the

site visit that the gates had been erected to be flush with the 1.8m fencing, and the applicant subsequently submitted an amended plan to this application to regularise this.

7.10 It was considered that the retention of the gates in this position would potentially have an impact on Highway Safety, and there would be no opportunity for a vehicle to leave the highway to allow the operation of the gates. Initially the Havant Borough Council Highways Engineer commented that the application should be determined using the Highway Authority's Standard Guidance, which recommends that when gates are to be fitted across the vehicle access, these must open away from the highway (inwards), and, to ensure sufficient space for a vehicle to exit the highway, the gates must be set back 6m from the edge of the carriageway. However relevance must be given to the fact that this guidance came into place in April 2017, after the approval was granted for the original application (APP/16/00409). The guidance prior to April 2017 was that there should be a minimum of 4.5m between vehicular gates and the carriageway. Furthermore it is important to ensure that there is sufficient turning space within the curtilage of the property to allow all vehicles to leave in a forward gear, rather than reversing onto The Brow. Subsequently the Highways Engineer has re-assessed the application and commented that, in this particular case, it would not be reasonable to insist on a 6m set back, that would negate the approved car park and turning area.

7.11 It has been noted that the amended plan now shows a separation gap of 5.3m between the proposed gates and the highway, and the agent has confirmed that this measurement is correct as oppose to the measurement of 4.92m which was shown on the originally permitted application, and therefore this is the measurement being considered as part of this amended application. Notwithstanding this it is considered that, as mentioned above, providing the gates were set a minimum of 4.5m back from the highway it is unlikely that the refusal of the application could be justified in this instance.

7.12 Concern has been raised that there is no visibility splay either side of the entrance. It must be re-iterated that the fencing was approved under a previous application and therefore can not be considered as part of this application. Furthermore, no accidents have been reported since the gates were installed alongside the pavement and therefore it is considered that setting the gates back 5.3m will serve to further reduce the impact on users of the pedestrian and vehicular highway.

(iii) Effect on neighbouring properties

7.13 The property to the north (10 London Road) is located approximately 2m from the boundary line with the application site. It is not considered that the location of the gates or the alterations to the fenestration on the western, eastern or southern elevations would impact the occupiers of this neighbouring property. Furthermore, the roof light to be added to the northern elevation is to be obscure glazed and fixed shut to avoid overlooking. The proposed rear addition to No. 8 will be set approximately 4.5m from No. 10 and therefore would not be considered to result in a significant impact in terms of overshadowing or loss of light. The proposed 2m fencing to the northern boundary is considered to be an improvement to the poor quality hedge currently acting as the boundary treatment, resulting in an improvement to the privacy of the occupiers of both No. 8 and No. 10 London Road.

7.14 The property to the east (1 The Brow) is located approximately 22m from the proposed rear extension and alteration to the rear roof light. The location of the gate and other alterations to the fenestration will not be readily visible, and therefore would not significantly impact on the occupier of this neighbouring property.

7.15 The property to the south (2, 4 & 6 The Brow) are sited in excess of 20m from the application site. The proposed roof light to the southern elevation is to be obscurely glazed, and it is not considered that this window would result in unacceptable

overlooking. It is not considered that the setting back of the access gates to 5.3m from the highway would have an increased impact on the occupiers of the properties to the south.

- 7.16 The property to the north (9 London Road) is sited approximately 40m from the application site. It is not considered that the alteration to the glazing in the northern facing dormer would have a negative impact on the occupiers of this neighbouring property.
- 7.5 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). It is noted no letters of objection were received with respect to the scheme.

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. The proposed development is also not considered to have a significant adverse impact on the safety or free flow of the highway network in order to justify a reason for refusal on this matter, subject to appropriate conditions.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/18/00141 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:

Locatin plan - received 15.02.18
Block plan - received 15.02.18
Amended proposed site plan - 16/100/BR01 (rev j)
Proposed floor plans - 16/100/W01 (rev a)
Existing elevations - 16/100/BR02 (rev e)

Reason: - To ensure provision of a satisfactory development.
- 3 The external materials used shall be as indicated on the hereby approved plans and details unless otherwise agreed in writing by the Local Planning Authority.
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.

- 4 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, prior to first occupation of the extension hereby permitted the windows in the first floor on the northern elevation shall be fitted with non-opening lights and textured glass which obscuration level is no less than Level 4 of the Pilkington Texture Glass scale (or equivalent) 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.

- 5 The turning space in front of the dwellinghouse shall be retained to enable vehicles to enter and leave in a forward gear and this shall be maintained and kept available for that purpose at all times.

Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 6 Within 6 months of the date of this permission the existing vehicular access gates shall be removed in accordance with the Amended proposed site plan - 16/100/BR01 (rev j) (received 24/4/18).

Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.