
Site Address: Hewlins House, Plot 1 The Retreat, Croft Lane, Hayling Island PO11 0LT

Proposal: Application for variation of condition 3 of Planning Permission APP/16/00583 relating to addition of 2No. velux windows in garage roof to be fitted with obscure glazing and a restricted opening of 100mm. Relocation of pool door from the west to south elevation.

Application No:	APP/18/00561	Expiry Date:	24/07/2018 10:25:37
Applicant:	Mr P Milburn		
Agent:	Mr P Milburn	Case Officer:	Emma Chisnall
Ward:	Hayling East		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 This application concerns Plot 1 Land Adjacent to The Retreat, Croft Lane. The site is located at the northern end of Croft Lane, a private unmade road that serves a small number of residential properties and a small equestrian centre/stables. This site is within the urban boundary. The site subject to this application is one half of the outline plot and under APP/16/00583 has recently started development for a new dwelling on the site.
- 1.2 To the north of the site is a paddock which lies outside of the urban area, to the east is the equestrian/stables which also lie outside of the urban area. To the south of the site is the existing single storey building which is The Retreat and to the west are the two storey chalet style detached dwelling houses that front onto the main Havant Road in a linear form of development.
- 1.3 The site boundaries are treated by a mix of low walls, fencing and mature vegetation.

2 Planning History

92/51283/002 - Operation of additional 2 private hire cars (3 in all)., REF,18/05/1992
92/51283/003 - Retention of radio mast on rear elevation., PERM,
92/51283/004 - Continued display of non- illuminated "A-Frame" sign on Havant Road frontage., REF,28/01/1993
92/51283/005 - Part change of use to enable operation of private car hire business (2 cars only)., ZHIS,28/01/1993
APP/14/00772 - Conservatory to rear of property., PERM,24/09/2014
APP/16/00027 - Siting of an additional (second) mobile home for accommodation for an extra groom (retrospective application)., REF,16/11/2016
APP/16/00583 - Demolition of existing stable block and erection of 1No. dwelling incorporating swimming pool and detached double garage. (Approved 17.11.16). Discharge of condition No/s 2, 5, 7, 8, 9, 10 and 11 (26.06.17). , PERM,17/11/2016

3 Proposal

- 3.1 Application for variation of condition 3 of Planning Permission APP/16/00583 relating to addition of 2No. velux windows in garage roof to be fitted with obscure glazing and a restricted opening of 100mm. For pool door to be moved from the west to south elevation.

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

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
DM10	(Pollution)
DM12	(Mitigating the Impacts of Travel)
DM13	(Car and Cycle Parking on Residential Development)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 **Statutory and Non Statutory Consultations**

Environmental Health Manager

No adverse 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: 13

Number of site notices: 1.

Statutory advertisement: Not applicable.

Number of representations received: 9 - although it is noted that some are from the same neighbours

Concern has been raised by neighbouring dwellings and these have been grouped together as they refer to similar concerns.

- Inaccuracy of plans

Planning Officer Comment: The plans for the current proposal have been assessed and can be scaled accurately. A site visit has also been performed in order to assess the current building work for the originally approved dwellinghouse and this is considered to be in accordance with the previously approved plans under APP/16/00583 whilst taking into account normal building tolerances when it comes to

development.

- Garage is not in keeping and should be the same height as others in the immediate area. It is not proportionate to the retreat.

- Upstairs is not to be used for storage. If so, why are windows required?

- If planning permission is given it is only a matter of time before a staircase is installed to complete this two storey building with a room upstairs for office or business use.

- The velux windows in the garage will cause over-looking to our property including the garden, decked area and main bedroom. Our bed and breakfast guests at the rear would have privacy completely compromised.

- Concerns with the original application including inaccuracy of plans and anticipated scale of works. Dwelling is wider than previously approved. Do new plans need to reflect this or will the dwelling be enforced?

- Change of planning officers shall lead to an inconsistent approach.

Planning Officer Comment: *Mr Eaves who was the original case officer is the principal planning officer of Emma Chisnall and therefore there is a consistency across the applications and the history and background of the application site is known.*

- Wildlife has disappeared. Trees and plants are being impacted.

- Construction causes damage and dust.

- The applicant has been given everything he wants whilst ignoring the local residents who have enjoyed privacy for years.

- If approved velux's should be fixed shut, fitted with obscure glass and conditions included to prevent future attempts to convert into living space such as an office or flat.

Planning Officer Comment:

Please see section 7 for a response to most of these queries.

In regards to comments made about the original application approved under APP/16/00583 this could not and cannot be commented on as part of the current application which seeks to install two velux windows to the garage roof and move a door to the south side only. Permission has been granted for the current house and if there are concerns with the development then advice can be sought from the Councils enforcement team.

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) Impact upon the character and appearance of the area
- (iii) Impact upon residential amenity
- (iv) Flooding

- (i) Principle of development

- 7.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria.

(ii) Impact upon the character and appearance of the area

- 7.3 The proposed development involves the installation of two velux rooflights in the north side elevation of the garage alongside the movement of the pool door from the west side elevation to the south side elevation. The works themselves are considered to not significantly alter the visual appearance of the previously approved works which have been started. The rooflights appear in proportion to the roofspace available and the door shall be mostly screened by the garage to the south. Therefore the alteration of these changes and addition is considered to not significantly alter the previously approved appearance of Hewlins House and the garage and can be considered to be acceptable.
- 7.4 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) Impact upon residential amenity

- 7.5 Multiple objections have been made by neighbouring dwellings that the works shall cause over-looking and a loss of privacy to the neighbouring dwellings to the west. Although privacy levels have the potential to be impacted the rooflights would have a direct view to the north and therefore would not directly over-look the neighbouring dwellings to the west. Both rooflights are also proposed to be fitted with obscure glass and a restricted opening of 100mm to allow ventilation into the first floor of the garage. Although comments have suggested that the rooflights are fixed shut the modest opening of 100mm is considered to not permit to any significant loss to neighbours amenity levels creating an acceptable impact that is not considered to be sufficiently harmful. However, this shall be conditioned as part of the decision to ensure that the works are carried out in accordance. This is considered to be acceptable.
- 7.6 Concern has been raised that in the future the garage shall be used as a flat, office or accommodation. This is not proposed as part of the development however due to the level of concern raised and that the activity of the site associated with these uses would be increased if carried out it is considered necessary to include a condition that restricts the use of the garage for only the parking of cars and activities which are incidental to the occupation and enjoyment of the existing dwelling. This would prevent the garage being used as an area of accommodation or business without approval from the Local Planning Authority. This is considered to satisfactorily address the concern raised.
- 7.7 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). It is noted no letters of objection were received with respect to the scheme.

(iv) Flooding

- 7.8 The site lies in flood zone 1 and as the works shall not alter the previously approved footprint of the development the works are considered to result in a limited and

acceptable impact.

8 Conclusion

- 8.1 The alterations are considered to be minor and modest maintaining the existing approved appearance of the garage and Hewlins House without causing significant concern to neighbouring dwellings amenity. The works are therefore considered to be appropriate to be recommended planning permission.
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9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/18/00561 subject to the following conditions:-

- 1 The development must be begun not later than three years beginning with the date of the previous permission granted under APP/16/00583 dated 25th October 2016.

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:

Location Plan: Unique plan reference: #00130123- CFBA28

Site Plan: Unique plan reference: #00130123-CFBA28

Block Plan showing parking provision: Drawing No Block Plan 1+ 2

Proposed Roof Plan of Garage and First Floor Plan: Drawing No HHFFP3/1

Proposed Garage and Ground Floor Plan of dwelling: Drawing No HHGFP4/1

Proposed Roof Plan: Drawing No HHRP3/1

Proposed Section of Garage with East and West Elevation Plan of

Dwellinghouse: Drawing No HHEWE3/1

Existing and Proposed South Side Elevation Plan of dwellinghouse including proposed North Side: Drawing No HHNESE3/1

Reason: - To ensure provision of a satisfactory development.

- 3 The garage hereby permitted shall be retained and kept available for the parking of cars and for purposes incidental to the occupation and enjoyment of the existing dwelling and shall not be used as a separate unit of accommodation or as a business.

Reason: In the interests of the amenities of neighbouring properties having due regard to policies CS16 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 4 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, prior to first use of the garage hereby permitted the windows in the first floor north elevation serving the garage shall be fitted with textured glass which obscuration level is no less than Level 4 of the Pilkington Texture Glass scale (or equivalent) with a restricted opening no greater than 100mm 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 car parking, servicing and other vehicular access arrangements shown on the approved plans Drawing No Block Plan 1+ 2 to serve the development hereby permitted shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.

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.

- 6 The development shall not be brought into use until the turning space is provided within the site, to enable vehicles to enter and leave the site in forward gear. This space shall thereafter always be kept available for such use.

Reason: In the interests of highway safety and having due regard to policy CS16 and DM8 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework, March 2012.

- 7 In the event that suspected contamination (soil, groundwater or buried waste materials) is encountered during groundwork; works in affected areas of the site shall cease until a scheme to deal with the risks associated with the suspected contamination has been submitted to and approved in writing by the Local Planning Authority.

The scheme may comprise separate reports/statements as appropriate, but unless specifically excluded in writing by the Local Planning Authority, shall include;

1) Investigation in the vicinity of suspected contamination, sufficient to characterise it's

nature, likely extent & mobility,

2) An appropriate assessment of the risks to all receptors that may be affected, based

upon 1), and;

3) Where potentially unacceptable risks are identified by 2), a Remediation Strategy that includes appropriately considered remedial objectives and clearly defined proposals for achieving these, having due regard to sustainability

All assessments, works, monitoring & other actions required by 1)-3) above (and B, below) shall be undertaken by competent persons, and the scheme shall be implemented as approved.

Prior to the occupation of any relevant part of the permitted development, EITHER of the following shall be submitted to the Local Planning Authority;

a). A statement confirming that no suspected contamination was identified during development,

OR;

b). Documentation in accordance with 1)-3) above; together with a Verification Report (where appropriate) demonstrating that remediation objectives have been met.

Reason: Having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework, there is a potential for contamination to exist at the site within made ground which could pose a risk to occupants

