
Site Address:	185 Victoria Road, Emsworth, PO10 7LY		
Proposal:	Two storey side and part rear extension, single storey rear extension and installation of dormer windows.		
Application No:	APP/17/00873	Expiry Date:	09/10/2017
Applicant:	Mr Seevaratnam		
Agent:	Mr Emmanuel	Case Officer:	Harriet Pitney
	J E Architectural Design Ltd		
Ward:	Emsworth		

Recommendation: **GRANT PERMISSION**

1 Site Description

The application site forms the end of a terrace of 3, two storey, residential dwellinghouses located on the northern side of Victoria Road comprising elevations of brick and pebbledash construction with a tiled pitched roof.

The property benefits from open vehicular access to the front driveway which provides adequate offroad parking provision as well as access to the single storey garage to the rear. There is an area of green public amenity space located to the front of the terrace of properties which sets the application site back from the main highway by approximately 10 metres.

The rear garden is primarily laid to lawn and is enclosed by a close boarded timber fence which is approximately 1.8 metres in height. The rear boundary of the application site abuts the railway line.

The area is primarily residential in nature with a medium density of dwellings adjacent to the site all of a similar age, style and design.

2 Planning History

96/52110/000 - Change of use of part of amenity space to form vehicular access.
Single storey extension to form garage to side of property
, PERM, 19/11/1996

3 Proposal

This application is for the erection of a two storey extension to the side (western) elevation of 185 Victoria Avenue and a part two storey/part single storey extension to the rear with the addition of a dormer window within the rear roof slope.

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

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Environmental Health Manager, Community Group

I have read the enclosed document and per se have no adverse comment, however, due to the information and should this application relates to potential HMO, the applicant/owner will need to obtain a licence to operate a House of Multiple Occupation prior any occupation. This may require further or upgrade to some aspect of the development, including, Fire safety, Cooking facilities etc and I would strongly recommend that the applicant contact Havant Borough Council Environmental Health - Housing Section to discuss any issues, obtain the licence application prior to developing the site, as this may have some impact on requirements within.

Housing Manager (Development)

No comments received.

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: 2

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 2

Comment	Officer Comment
Whilst we have no major concerns about the physical structure of the proposed extension, in so far as it will have limited impact upon our property, we have very serious concerns about the intended use of the property should permission for the extension be granted and the impact that it will have not only upon ourselves but on the neighbourhood and the environment.	Please see section 7 of the Officer Report.

1. The house in its current configuration (i.e. three bedrooms) is occupied by as many as eight or more single young males sleeping not only in the bedrooms but also in the lounge and (from what we can gather) the garage. How many people will occupy the property if the proposed extension goes ahead?	Please see section 7 of the Officer Report.
2. The proposed loft extension will afford further views into our garden; the privacy of which was one of the factors that we took into account when purchasing our property.	Please see section 7 of the Officer Report.
3. There are current and ongoing issues with waste management at the property: With only two bins (one general and one recycling) the waste frequently overflows and this has led to unacceptable smells; maggots and rats; issues that have been reported to the council.	This is a matter for Environmental Health to consider.
4. There are current and ongoing issues with noise from the property. The current occupants have had to be requested on numerous occasions to turn down music being played at all hours of the day and night. We are also frequently awoken in the early hours by cars left idling and the slamming of internal doors from people arriving home from/leaving for work.	This is a matter for Environmental Health to consider.
5. As a result to the waste management issues mentioned at Para 3 above, we also have a serious problem with rats both in the garden and in our loft space.	This is a matter for Environmental Health to consider.
6. The rear garden of the property is currently not maintained. The garden is littered with waste and rubbish is thrown out of the bedroom windows (some of which lands in our garden) and these accumulations of rubbish can only exacerbate the rat problem. Occasional BBQ's/general fires on the BBQ are a fire risk to our recently replaced boundary fence as well as being an environmental hazard (this is mainly due to the height of the flames,	This is a matter for Environmental Health to consider.

which are very close to the fence itself).	
7. Car parking in the area is problematic at the best of times. There is currently parking space for only three cars on the driveway of the property, with other cars taking up limited parking space on the road outside adjacent properties. This is an issue with the current number of occupants but would become untenable with a pro rata increase in tenants should the proposed extension be approved.	Please see section 7 of the Officer Report.
8. It has also been brought to our attention that the planning proposal involves building on a shared pathway, which currently provides access to two rear gardens.	Please see section 7 of the Officer Report.
The property in its current configuration, with three bedrooms occupied by numerous individuals, is a health and safety risk to the tenants as well as neighbours and we have ongoing serious problems with waste; rats; noise.	This is a matter for Environmental Health to consider.
We are aware that if the planning permission is granted the property would require a 'Houses of Multiple Occupancy' license, are there any current requirements for two storey properties?	This is a matter for Environmental Health to consider.
At the very least, it is requested that the current application be refused until the issues above are addressed	

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
- (v) Other matters

(i) Principle of development

- 7.2 The application site is located within the defined urban area, therefore development is considered to be acceptable in principle subject to development management criteria.

(ii) Appropriateness of design and impact on the character of the area

- 7.3 The proposed two storey extension to the side, (western) elevation of the application site, would be readily visible from the streetscene of Victoria Road. It is important to acknowledge that whilst the application site forms the end of a terrace comprising three residential dwellings, all of which are similar in terms of their size, scale and design, 185 Victoria Road does benefit from a generous proportion of space to the western elevation which comprises approximately 4 metres from the side wall of the original dwelling to the shared boundary with the adjacent neighbouring property (No. 187 Victoria Road). Furthermore, the proposed extension would be set back approximately 5.5 metres from the front boundary of the application site and approximately 10 metres from the main highway, thus reducing the visual prominence of this addition on the immediate streetscene.
- 7.4 The original proposal submitted sought to extend up to the shared boundary with the adjacent neighbouring property (187 Victoria Road), however, the additional bulk and mass to this elevation was considered to impact adversely on the degree of openness and spaciousness which currently characterises the site. Having discussed this with the agent, revised plans were submitted which sought to pull the two storey element away from the shared boundary with 187 Victoria Road by 1 metre, with the ridge height of the proposed two storey extension set down from the main ridge height to clearly show its subservience.
- 7.5 Taking into account the set back from the main highway together with the set back from the shared boundary with 187 Victoria Road, it is considered that the proposed size, scale and subservient design of the two storey extension to the western elevation would not result in any adverse impact on the character and appearance of Victoria Road.
- 7.6 The proposed part two storey, part single storey extension to the rear would not be readily visible from the public realm and as such would not result in any adverse impact on the character and appearance of the area. However and notwithstanding the above, it is considered that the design and appearance of this aspect of the proposal is deemed appropriate in context with the main dwellinghouse and respects the existing built form.
- 7.7 The proposed development is therefore considered to be acceptable, meeting the requirements of Policy CS16 of the HBLP (Core Strategy) and it is not considered that the scheme would result in any adverse impact on the visual amenity of the surrounding locality.

(iii) Effect on neighbouring properties

- 7.8 As specified above, the proposed two storey extension to the side (western) elevation would be set back from the shared boundary with the adjacent neighbouring property (187 Victoria Road) by 1 metre and approximately 7 metres away from the side wall of the proposed extension to the side wall of the adjacent neighbouring property. Furthermore, there are no windows proposed at 1st floor level of the extension to face

No.187 directly, with only one small window at ground floor level which will serve a bathroom. It is acknowledged that there are a number of windows which exist within the western elevation of the application site as well as the eastern elevation of 187 Victoria Road. Whilst it is noted that the proposed extension would extend closer to the adjacent neighbouring property, it is acknowledged that the number of windows within this elevation will be significantly reduced to mitigate any potential impact on privacy. However, the window proposed at ground floor level of the two storey side extension will be conditioned so that it is obscurely glazed to mitigate this impact further.

- 7.9 The proposed extension to the rear comprises a part two storey and part single storey element. The part two storey element would be positioned so that it benefits from a separation distance of approximately 4 metres from the adjacent neighbouring property to the west (187 Victoria Road). There are no windows proposed within the western elevation of the extension and as such, it is not considered that this aspect of the proposal would result in any significant loss of light, privacy, outlook or appear overbearing to the adjacent neighbouring property. The adjacent neighbouring property to the east does benefit from a single storey extension to the rear, as does the application site. The proposed single storey extension would extend beyond the rear wall of the original dwelling by 3 metres, with a height of 3.4 metres and an eaves height of 2.8 metres. On this basis, the single storey aspect of the proposed development would meet the criteria for it to be considered as Permitted Development and on this basis, the applicant could undertake this aspect of the development without the need for planning permission. Taking into account that the adjacent neighbouring property (No. 183 Victoria Road) currently benefits from a single storey extension to the rear, it is not considered that the demolition of the existing extension at 185 Victoria Road and the replacement single storey aspect would result in any additional significant loss of light, privacy, outlook or appear overbearing to the neighbouring amenity of this property.
- 7.10 It is important to acknowledge that a representation has been received from the adjacent neighbouring property raising concerns in respect of the loss of privacy as a result of the proposed dormer window within the rear roof slope. Whilst it is acknowledged that this addition would result in some additional overlooking, it is noted that the applicant could construct a dormer window of this size, scale and design utilising their permitted development rights and without the need for planning permission. It is acknowledged that the addition of the dormer window would result in some additional overlooking to the rear gardens, however, taking into account the fallback position detailed above, it is not considered that the additional overlooking would result in such an impact which would justify a reason for refusal. The rear of the application site abuts the railway line, therefore there will be no impact on neighbour amenity to the rear.
- 7.11 The representation received from the adjacent neighbouring property also raises various other concerns, however these matters relate primarily to Environmental Health Legislation. On this basis, these matters would need to be pursued separately and could not be considered as a material planning consideration in relation to this application.
- 7.12 Consequently, it is considered that the proposal is unlikely to appear overbearing, result in any significant additional loss of light or privacy and would therefore have a limited and acceptable impact on the properties immediately adjacent to the application site. The proposed development therefore meets the requirements of Policy CS16 of the HBLP (Core Strategy).

(iv) Parking

- 7.13 The plans submitted as part of this application demonstrate the provision of 3 offroad parking spaces which would meet the criteria specified within Havant Borough Councils Adopted Parking Standards. A condition has been imposed within the planning approval to ensure that the parking arrangement shown is made fully available prior to the development being first brought into use and shall be retained thereafter for that intended purpose.

(v) Other Matters

- 7.14 The representation received from the adjacent neighbouring property queries the number of occupants who will be residing at the property if planning permission were to be granted for the proposed extension. It is important to acknowledge that under Permitted Development, the applicant could convert the use of the residential dwellinghouse from C3 to C4 (Houses in multiple occupation) without the need for formal planning permission provided the dwellinghouse is not used by more than six residents at any one time. Whilst the application does not explicitly refer to the intended use as a HMO (house of multiple occupation), the plans provided do show 5 bedrooms, each of which benefits from their own en-suite with a study at first floor level which meets the requirements for it to be classed as an additional bedroom, bringing the overall total to 6 bedrooms. This has the appearance of forming a HMO and it was confirmed by the applicant at the time of the officer site visit that the property was intended for use as staff accommodation. On this basis, provided the property is not resided in by more than six residents at any one time, planning permission would not be required. An informative has been attached to the planning approval in this regard. Confirmation has also been received by the agent that the total number of residents who will be living at the property is 4. To ensure that the proposed use remains consistent with that detailed above, a condition has been recommended to restrict the number of residents living within the property in the interests of both neighbour amenity and the character and appearance of the area.

8 Conclusion

- 8.1 The scale, siting and design of the proposal would have a limited and acceptable impact on the neighbours and the character and appearance of the area 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/17/00873 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 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 The car parking, servicing and other vehicular access arrangements shown on the approved plans (Drawing No: 3071/AM/02 Rev D) to serve the extensions 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.

- 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 window within the ground floor on the western elevation shall be fitted with, to a height of no less than 1.7m above finished floor level, 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 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, in the event that the property is to be used as a Small House of Multiple Occupation under Use Class C4 of the Town and Country Planning (Use Classes) Order 1987 (as amended) the premises shall not be occupied by more than six residents at any one time.

Reason: In the interests of neighbour amenity and the character of the area and having due regard to the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended.

- 6 The development hereby permitted shall be carried out in accordance with the following approved plans:

Amended site location and block plan (Drawing No: 3071/AM/03 Rev A)- received 19th September 2017

Existing floor plans and elevations (Drawing No: 3071/AM/01 Rev A)- received 15th August 2017

Amended proposed floor plans and elevations (Drawing No: 3071/AM/02 Rev D)- received 19th September 2017

Amended roof plan (Drawing No: 3071/AM/04 Rev A)- received 27th September 2017

Confirmation of total No. of residents (Email from A. Emmanuel)- dated 9th October 2017

Reason: - To ensure provision of a satisfactory development.