
Site Address:	22 Manor Close, Havant, PO9 1BD		
Proposal:	Single storey car port with one bed annex in roof space above to replace existing one in rear garden.		
Application No:	APP/17/01245	Expiry Date:	16/01/2018
Applicant:	Mr & Mrs Heaton	PAA	14/02/2018
Agent:	M I Rorvik	Case Officer:	Bee Crawford
	PDP Architecture llp		
Ward:	St Faiths		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site is a two storey semi-detached property with a brown tiled pitched and hipped roof and elevations of red multibrick situated in St Faiths Conservation Area. The site is level with pedestrian access only to the front and vehicular access to the rear via a private drive, leading to a shingle parking area, shed and car port. The remainder of the rear garden is in excess of 20 metres deep and is mainly laid to lawn with shrub borders. There is a 1.8 metre high fence to the northern boundary, 1.2 metre and 1.8 metre high fencing and mature trees to the southern boundary and 1.8 metre high gates and fencing to the rear boundary.
- 1.2 The adjoining two storey semi-detached property is to the south, a pair of two storey semi-detached properties are to the north and opposite and the rear of commercial properties in North Street arcade are to the rear. The area is of medium density with a mixture of two storey semi-detached properties of similar age, style and design and commercial properties, reflecting the nature of the Conservation Area.

2 Planning History

None relevant to this application.

3 Proposal

- 3.1 The proposal is for the construction of a detached car port with one bedroom annex in roof space above in the rear garden of the property.

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)
CS16 (High Quality Design)

Listed Building Grade: Not applicable.
Conservation Area: St Faiths

5 Statutory and Non Statutory Consultations

Arboriculturalist, Havant Borough Council

No objection following the submission of a AIA and tree protection plan. A condition is recommended for the development to be undertaken in accordance with the submitted arboricultural information.

Building Control, Havant Borough Council

Building Regulation consent will be required for this work

- 1) Distance to North East elevation boundary is to be confirmed if less than 1m unprotected areas (fire) becomes an issue under AD B
- 2) Dormer window to be suitable for MOE under AD B
- 3) Size of waste bin storage to comply with AD H including location for collection

Conservation Officer, Development Control

No Objection.

22 Manor Close is a two storey semi-detached residential property that is located within the St Faith's Conservation Area.

The proposal is to construct a car port for two cars with a one bed annexe in the roof space. This is to be located to the rear of the garden.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires planning authorities, when considering whether to grant planning permission for development which affects a Conservation Area, to have special regard to the desirability of preserving or enhancing the character and appearance of that area.

The proposed carport/annexe is of a scale that does not appear to be visually intrusive and therefore would not harm the character of the conservation area. Overall, the design of the building is neat and appropriate for the site, with bricks and tiles proposed that match the dwelling and suitably sized openings.

The rooflights should be of a conservation style. I will request that details of the rooflights are submitted by way of condition.

Conditions:

- Materials to be submitted.
- Rooflights details to be submitted.
- Window details to be submitted.

Environment Agency

In our previous comments on the above application (EA ref. HA/2017/119963/02-L01, dated 12 December 2017) we objected to the proposed development as it had not been demonstrated, via a site-specific Flood Risk Assessment (FRA), that the development was safe for its lifetime.

The applicant has since submitted a revised FRA (dated 19 January 2018). We have reviewed the FRA and have the following comments.

Environment Agency Position

We can remove our objection to the proposed development, as amended.

Fluvial flood risk.

The site is located within fluvial Flood Zone 2 of our Flood Map. This indicates land with a medium probability (1 in 1000 year) of flooding from the Lavant Stream, in accordance with the national Planning Practice Guidance (PPG) (ref. 7-065-20140306).

The revised FRA provides flood levels for the site, and states that by comparing with the surveyed site levels, the first floor residential accommodation would be approximately 2m above the 1 in 1000 year extreme flood level.

This is considered to provide a more than adequate freeboard to account for the uncertainties regarding the impacts of climate change on flood risk at this location, in the absence of detailed flood modelling.

Therefore, we are satisfied that the development has been appropriately designed to avoid fluvial flooding in the design flood event (1 in 100 year) over its lifetime.

Highways Engineer, Development Engineer

The Highway Authority has no adverse comment to this application.

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: 4

Number of site notices: 1

Statutory advertisement: 24/11/2017

Number of representations received: 0

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 the design and impact on the streetscene
- (iii) Effect on the conservation area
- (iv) Effect on the neighbouring properties
- (v) Use of the extension
- (vi) Flood risk

- (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 control criteria.

(ii) Appropriateness of the design and impact on the streetscene

- 7.3 The rear of the application site is accessed via a private drive and the proposal is set back a minimum of 4.2 metres and a maximum of 13.4 metres from the rear boundary of the site. This boundary, which is 6 metres from the highway does not directly face the road and there is significant mature screening within the site and the immediate vicinity, consequently the proposed development would only be partially visible from the public realm. The development is to replace the existing car port and shed with a detached building comprising a car port and store at ground floor and a one bedroom annex at first floor, providing additional residential accommodation. It is judged sufficient amenity space would be retained within the rear garden area.
- 7.4 It is noted a CIL Self Build Residential Annex Exemption Claim Form was not submitted with the application, although if applicable, this can be provided at a later stage. The design and appearance of the proposal is deemed appropriate in context to the main building and therefore considered to be acceptable, meeting the requirements of policy CS16 of the HBLP (Core Strategy). It is considered that the proposal would not result in an adverse impact on the visual amenity of the locality.

(iii) Effect on the conservation area

- 7.5 The property is an unlisted building in St Faiths conservation area. The Council's Principal Conservation Officer raised no objection to the scheme and is of the view that the proposed carport/annex is of a scale that would conserve the character and setting of the conservation area. A design and access statement has been submitted as part of the application which covers the requirements of policy DM20 of the HBLP (Allocations).

(iv) Effect on the neighbouring properties

- 7.6 The proposal is to be situated in the rear part of the application site close to the southern boundary, and the garage of the neighbouring property is adjacent to this boundary. There is a distance of 1.2 metres, to the northern boundary and the garage of 21 Manor Close is a further 2.6 metres from this boundary. The car port is open to the front and there is one pitched roof dormer window of modest dimensions to the front roof slope, with two small roof lights in the rear roof slope, facing the rear of the existing property. The dormer could be perceived to result in overlooking and loss of privacy to the neighbouring properties. However, given the setting of the building and taking into account there is no vehicular access to the front of the properties in Manor Close, it is considered any overlooking would be to existing parking areas which are not considered to be primary amenity areas, therefore any perception of loss of privacy would not be unacceptable.
- 7.7 The proposed roof lights in the south east elevation of the building could potentially cause overlooking and loss of privacy to the occupiers of the neighbouring properties. Therefore a condition is recommended for the roof lights to be fixed shut and obscure glazed in order to protect the amenities of these properties.
- 7.8 Whilst the building is of a generous height and size, the 2.5 metres eaves height is moderate and together with the situation of new building, the surrounding mature trees and the existing pattern of neighbouring outbuildings, it is considered acceptable and would not have a harmful impact on the neighbours. The rear elevations of the neighbouring properties are in excess of 20 metres away.

(v) Use of the extension

- 7.9 The annex element of the scheme would be separate from the main property with its own entrance and could potentially be utilised as a self-contained unit. Therefore it is important that the ancillary relationship between the annex and existing dwelling be maintained, as independent occupation would suffer from lack of amenity space and would result in an intensive use of the site, out of keeping with the character of the area. It would also be contrary to the NPPF and policy CS17.
- 7.10 In addition, the creation of a separate dwelling could have an in-combination impact on designated habitats, which has been considered by the recent Solent Disturbance Mitigation Project; policy CS11 (11) and Allocations Plan policy DM24. For these reasons, a planning condition is recommended for the accommodation to be occupied incidental to the enjoyment of the existing dwelling, precluding it from being established as a separate unit of accommodation.

(vi) Flood risk

- 7.11 The revised flood risk assessment provides flood levels for the site, and states that by comparing with the surveyed site levels, the first floor residential accommodation would be approximately 2m above the 1 in 1000 year extreme flood level.
- 7.12 This is considered to provide a more than adequate freeboard to account for the uncertainties regarding the impacts of climate change on flood risk at this location, in the absence of detailed flood modelling.
- 7.13 The Environment Agency is satisfied that the development has been appropriately designed to avoid fluvial flooding in the design flood event (1 in 100 year) over its lifetime.
- 7.14 It is therefore considered that the proposal is unlikely to appear overbearing or lead to overlooking and would have negligible impact on the properties immediately adjacent to the application site or the properties to the rear, meeting the requirements of policy CS16 of the HBLP (Core Strategy). It is noted no objections were received with respect to the scheme.

8 Conclusion

- 8.1 The scale, siting and design of the proposal is considered to be acceptable and is recommended for approval.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/17/01245 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 No development shall commence on site until details, including labelled

samples (manufacturer, type and where it is to be used) of all external materials (including finishes), have been submitted to, and approved in writing by the local planning authority. The development shall thereafter be carried out in full accordance with the approved details.

Reason: In order to safeguard the conservation area and having due regard to policies CS11.4 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 3 Notwithstanding the approved plans, the development hereby permitted shall not be commenced until detailed drawings of the roof lights have been submitted to, and approved in writing by the local planning authority. The details to comprise:-

1:20 and 1:50 elevations and floor plan; including the method of fixing, the materials used, and finishes. The works shall be carried out in full accordance with such approval and be retained thereafter.

Reason: In order to safeguard the conservation area and having due regard to policies CS11.4 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 4 Notwithstanding the approved plans, the development hereby permitted shall not be commenced until detailed drawings of the windows have been submitted to, and approved in writing by the local planning authority. The details to comprise:-

1:20 and 1:50 elevations and floor plan; including the method of fixing, the materials used, method of opening and finishes. The works shall be carried out in full accordance with such approval and be retained thereafter.

Reason: In order to safeguard the conservation area and having due regard to policies CS11.4 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 5 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, prior to first occupation of the building hereby permitted the roof lights in the first floor on the south east 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.

- 6 The accommodation hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of the existing dwelling and shall not be used as a separate unit of accommodation.

Reason: The unit of accommodation is not a satisfactory position, has insufficient amenity space and insufficient on-site parking to be occupied separately from the main dwelling and having due regard to policies CS16 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 7 The development must be undertaken in accordance with the Arboricultural Impact Assessment and Tree Protection Plan dated 08/11/2017 and supplied

by Andrew Southcott, Arboricultural Consultant. **Reason:** Policy DM8 to protect the conservation and enhancement of existing natural features.

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

Drg no. 28021-PD100 Rev B Location and site plan
Drg no. 28021-PD102 Proposed block plan
Drg no. 28021-PD101 Proposed floor and elevations plan
Drg no. AS/PH/1117 TPP Rev A Tree protection plan
Drg no. AS/PH/1117 TCP Tree constraints plan
Drg no. AS/PH/1117 TSP Tree survey plan
Arboricultural report dated 08/11/2017
Tree protection plan dated 08/11/2017
Design and access statement dated 11/2017
Flood risk assessment dated 19/01/2018
Ecological appraisal dated 11/2017

Reason: - To ensure provision of a satisfactory development.