

Recommendation: **GRANT PERMISSION**

CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)

AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist

There is a small Beech tree at the front of the property on the southern boundary which will be impacted by the proposed development, however, it is unsuitable to be protected by a Tree Preservation Order, therefore no objection is raised to this proposal in arboricultural terms.

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
The planning application for the extension work adjoining our property has raised some concerns. The main concern is of our garden, which is currently completely private, and not overlooked, which is one of the main reasons we bought the property in the first place, as we have young children. The proposed loft conversion to 24 Forest Avenue will overlook our entire garden, and therefore we will lose all of our garden privacy. To remedy this issue, it was discussed with the proposer that the bathroom and dressing room would have opaque windows in the upstairs, reducing the amount being overlooked to two bedroom windows. It has also been discussed with the property owner that	See section 7. The plans denote obscured glazing to the proposed bathroom and dressing room windows. Any permission granted would be subject to the development being built in accordance with the plans submitted. Boundary treatments between neighbouring properties is a civil matter.

<p>sufficient screening, either trees, bushes or other means is put in place at the bottom of their garden, which will be above the current standing fence by at least 2 feet. This extra height will ensure that the property owner maintains sufficient sunlight, and will still get the final sunlight of the day, whilst safeguarding some of the privacy of our garden. We expect this to be officially stipulated by the planning department to ensure our privacy and quality of life are maintained.</p> <p>The other concern was that the proposed extension would attach to the side of our property, causing potential issues with air circulation within the flat roof of our property. This has also been discussed with the proposer, and was verbally agreed that the proposed extension would not be connected to our current extension. We expect this to be stipulated by the planning department.</p>	<p>The applicant has confirmed that the proposed extension falls wholly within the curtilage of his property, with no encroachment into the adjoining property.</p>
<p>Whilst we have no objections in principle, we would like clarification of the following points that are causing us much concern:</p> <p>The proposed rear extension comes very close to the boundary fence which we claim as ours, can you assure us that access for repairs is still possible. We assume that the extension will not affect the line of this boundary?</p> <p>We have been advised by local builders that a heating or kitchen vent may discharge over our property given the closeness to the boundary fence is this permitted?</p> <p>The upper floor rear windows overlook our property in particular look down into our lounge, upstairs bedroom, front door and the double garage. Is this overlook aspect permitted as we are concerned our privacy is being invaded?</p> <p>We are intending at some time in the future to apply for planning permission</p>	<p>The applicant has confirmed that the proposed extensions fall wholly within the curtilage of the applicaiton site. Boundary treatments between neighbouring properties is a civil matter.</p> <p>This is a matter which would need to be addressed by the Council's Environmental Health Section. The plans submitted indicate there would be a clearance distance of 2.5 metres to the boundary for any flue. See section 7.</p> <p>This is not a material planning consideration. The Local Planning</p>

to convert our detached garage into a 'granny annexe'. The neighbours proposed extension has upper floor windows that will only be a short distance from the 'granny annexe'. Will you confirm that our intended alteration will not be compromised by the neighbour's extension.	Authority is unable to consider the impact of the development on a hypothetical proposal.
Our property is subject to flooding during heavy or persistent rainfall. Can you assure us that adequate drainage is provided for both rainwater and grey water discharge that does not increase the flooding risk and that no works are required on our property?	This is not a material planning consideration would be addressed by Building Control. If the development requires any works to be carried out on the neighbouring property, permission will need to be agreed with the applicant and their neighbours.

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

(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 proposed roof extension and front dormers would be visible from the public realm, although the dwelling is set back approximately 5.5 metres from the highway and it is noted there are properties with similar types of development within the varied streetscene of Forest Avenue. The front dormers have pitched roofs and whilst close to the ridge height, are set well in from the roof edge as recommended in the Havant Borough Council Borough Design Guide and consequently would not dominate the roof of the building. The rear dormer would not be visible from the highway.

7.4 The carport, side and rear extension would result in a generous increase in the footprint of the original dwelling, although the existing rear extension is to be demolished and it is considered the proposal can be comfortably accommodated within the extent of the site. The scheme would enlarge and upgrade the existing dwelling, however it is deemed it would not be an incongruous feature in the streetscene or result in an adverse impact on the visual amenity of the locality, which is diverse in nature. The design and appearance of the extension 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).

7.5 The number of bedrooms will increase from two to four, hence there would be a requirement for three on site parking spaces and a plan has been submitted to reflect

this. Consequently it is considered a condition would not be necessary in this instance.

(iii) Effect on neighbouring properties

- 7.6 There are no windows in the new gable or any side windows in the proposed new dormers which are set in from the edge of the roof and are consequently unlikely to appear dominant. However, concern has been raised by the adjoining neighbours to the north and south with respect to overlooking and loss of privacy from the proposed rear dormers. The plans show obscure glazing to the proposed dressing room and bathroom windows which would lessen the perception of overlooking. In addition, due to the proximity of the development to the southern boundary and the orientation of the property to the south at 26 Forest Avenue, a condition is recommended for the first floor window in the bedroom closest to this boundary to be fitted with non-opening lights and textured glass in order to protect the amenities of the occupiers of this property. It is also worthy to note in isolation, a sizeable rear dormer and gable end could be constructed within the realms of permitted development.
- 7.7 Although the single storey side and rear extension is to be built close to the property boundaries, it is of a modest height and does not extend beyond the rear elevation of the extension at the adjoining property. There is a minimum distance of 0.51 metres and maximum distance of 1.48 metres to the southern boundary. The northern elevation of the property at 26 Forest Avenue is a further 6 metres away beyond the driveway. It is deemed any impact of the new windows and doors to the ground floor southern elevation of the extension would be negligible.
- 7.8 The rear elevation of the single storey rear extension is approximately 12 metres from the western boundary, maintaining the 10 metre garden depth as recommended under the Havant Borough Council Design Guide. The windows and patio doors in this elevation would be partially screened by the existing boundary fencing and would not have a significant impact on the land to the rear which forms part of the garden of the property to the north.
- 7.9 It is considered the properties opposite the site are judged to be a sufficient distance away and situated so that any impact would be minimal.
- 7.10 It is therefore considered that with the proposed conditions, the development is unlikely to lead to overlooking or appear overbearing to the properties immediately adjacent to the application site, and would have a negligible impact, 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.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/17/00851 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 be as stated under Section 11 (Materials) of the application form.

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 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, prior to first occupation of the extension hereby permitted, the first floor window in the bedroom closest to the southern boundary of the site facing west 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.

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

Location plan
Proposed block plan
Proposed parking plan
Existing ground floor plan
Existing elevations plan
Proposed ground floor plan
Proposed first floor plan
Proposed elevations plan
Proposed roof plan
Arboricultural appraisal dated 13/08/2017

Reason: - To ensure provision of a satisfactory development.