
Site Address: 16 Passingham Walk, Waterloooville, PO8 8JH
Proposal:

Prior notification for single storey development extending 4.65 metres beyond the rear wall of the original dwelling, incorporating an eaves height of 2.9 metres and a maximum height of 3.15 metres.

Application Type: General Permitted Development-Extensions
Application No: APP/22/00451 Expiry Date: 11/07/2022
Applicant: Mrs H Mann
Agent: Mr R Clark Case Officer: Lewis Ford
 Roger Clark (Architectural
 Services)
Ward: Cowplain

Recommendation: PRIOR APPROVAL IS REQUIRED AND HEREBY GIVEN

1 Site Description

The application site is 16 Passingham Walk, Waterloooville, PO8 8JH. The site includes a 1970s, end-of-terrace, 2-storey dwellinghouse comprising traditional brick and tile construction, supplemented with white horizontal cladding boards, white rendered and painted walls, and UPVC windows and doors. The site includes 1no. vehicular parking space and is accessed via a dropped kerb off Passingham Walk.

2 Planning History

HWU/14084/3 – PERM in Nov 1969 for layout of roads for residential development.
HWU/14084/4 – PERM in Mar 1971 for the erection of 43 dwellings.
HWU/23119 – PERM in June 1973 for the erection of 63 garages on various sites

3 Proposal

Prior notification for single storey development extending 4.65 metres beyond the rear wall of the original dwelling, incorporating an eaves height of 2.9 metres and a maximum height of 3.15 metres.

4 Policy Considerations

National Planning Policy Framework
Town and Country Planning (General Permitted Development) (England) Order 2015
(as amended)

Havant Borough Local Plan (Core Strategy) March 2011

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)

Emsworth Neighbourhood Plan Post Examination Version 2020

Not applicable.

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Not applicable for a prior approval 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: 2

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
I object to the proposal for the extension to my neighbour's property. At the time of writing this letter, I have still not seen or received the plans for the development, but I have been informed by you that I have a very limited time frame in which to object. I feel that without a detailed survey building so close to my property could damage my property. I also think that the extension will block light into my kitchen. When I receive the plans which you have said I will review them and write to you with more details about my objections. The reason for this letter is to put in writing my objection to the application.	The Plans were sent via post in early June 2022. Following receipt of the objection letter, a site visit was carried out and the Plans were hand delivered on 29 June 2022. As explained verbally and in writing: The Party Wall Act provides a framework for preventing or resolving disputes in relation to party walls, party structure, boundary walls and excavations near neighbouring buildings. However, for the avoidance of doubt, the Party Wall Act is separate to the submission of a planning and/or prior approval application, although gaining approval does not remove the need to comply with the Act where it is applicable. The requirements under the Party Wall Act are a private interest matter between Nos 14 and 16 Passingham Walk and is not material to the consideration of this prior approval application. In terms of loss of light, it is not considered that the proposed development would result in an adverse impact to neighbouring properties in terms of loss of light.

7 Planning Considerations

- 7.1 The enlargement, improvement and/or alteration of a dwellinghouse is covered under **Schedule 2, Part 1, Class A** of the Town and Country Planning (General Permitted Development) (England) Order 2015 – hereon referred to as the GPDO. Criterion (g) of Class A explains that a single storey rear extension to a dwellinghouse – which is not on Article 2(3) land nor a Site of Special Scientific Interest (SSSI) – can be larger than the limitations set out under Criterion (f) of Class A providing that:

It is single storey; and

It is no more than 4 metres in height; and

It complies with all other criteria under Class A; and

It does not extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or by 6 metres in the case of any other dwellinghouse.

- 7.2 The GPDO explains that the larger single-storey rear extensions under Criterion (g) are subject to a “Neighbour Consultation Scheme” – in the form of a prior approval application - to assess the impact of the proposed extension on the amenity of neighbouring properties. The requirements of the Scheme are set out in Paragraph A.4 of Class A in the GPDO which explains that the prior approval of the Local Planning Authority (i.e., the Council) is required when a neighbour objection has been received. As an objection to the proposed development has been received, the Council has assessed the impact of the proposed development on the amenity of all adjoining premises. In doing so, and having due regard to the relevant policies in the development plan, it is considered that the main issues arising from this application are:

- (i) Principle of Development
- (ii) Schedule 2, Part 1, Class A of the GPDO
- (iii) Impact upon the Character and Appearance of the Area
- (iv) Impact upon Residential Amenity

- (i) Principle of Development

- 7.3 The application site is located within the defined urban area as set out in Policies CS17 and AL2. As such, development is considered acceptable in principle subject to development management criteria.

(ii) Schedule 2, Part 1, Class A of the GPDO

- 7.4 The enlargement, improvement and/or alteration of a dwellinghouse is covered under **Schedule 2, Part 1, Class A** of the GPDO. As such, the proposed single storey rear extension has been assessed against the following criteria and conditions under Class A:

A.1 Development is not permitted by Class A if –

(a) Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA, or Q of Part of 3 of this Schedule (Change of Use).

This is not applicable to the proposed development.

(b) As a result of the works, the total area of ground covered by building within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse).

The proposed development would not result in the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) to exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse).

(c) The height of the part of the dwellinghouse enlarged, improved, or altered would exceed the height of the highest part of the roof of the existing dwellinghouse.

The proposed development would be single-storey and, therefore, would not exceed the height of the highest part of the roof of the existing two-storey dwellinghouse.

(d) The height of the eaves of the part of the dwellinghouse enlarged, improved, or altered would exceed the height of the eaves of the existing dwellinghouse.

The height of the eaves of the proposed development would not exceed the height of the eaves of the existing dwellinghouse.

- (e) The enlarged part of the dwellinghouse would extend beyond a wall which-**
(i) Forms the principal elevation of the original dwellinghouse; or
(ii) Fronts a highway and forms a side elevation of the original dwellinghouse.

In terms of Criterion (e)(i), the proposed development comprises a rear extension and so would not extend beyond a wall forming the principal elevation of the original dwellinghouse.

In terms of Criterion (e)(ii), the proposed extension would be flush with the western side elevation of the existing dwellinghouse. Although it would be adjacent to a footpath / alleyway, this does not form part of the Adopted Public Highway and is only used by residents to access the rear gardens of their properties.

- (f) The enlarged part of the dwellinghouse would have a single storey and –**
(i) Extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse; or
(ii) Exceed 4 metres in height.

The above is not applicable, please see Criterion (g) below.

- (g) For a dwellinghouse not on Article 2(3) land, nor on a Site of Special Scientific Interest (SSSI), the enlarged part of the dwellinghouse would have a single-storey and –**
(i) Extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse; or
(ii) Exceed 4 metres in height.

In terms of Criterion (g)(i), the existing dwellinghouse is not on Article 2(3) nor SSSI land, and comprises an end-of-terrace property. The proposed development would be single storey and would extend beyond the rear wall of the original dwellinghouse by 4.65m which is less than the 6m maximum limit.

In terms of Criterion (g)(ii), the proposed development would have a maximum height of approximately 3.15m which is below the 4m maximum limit.

- h) The enlarged part of the dwellinghouse would have more than a single-storey and –**
(i) Extend beyond the rear wall of the original dwellinghouse by more than 3 metres; or
(ii) Be within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of the dwellinghouse.

The proposed development comprises a single storey rear extension and so the above is not applicable to the proposed development.

i) The enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres.

The proposed development would be flush with its side elevations and so the eaves height limit of 3m is applicable. In this instance, the proposed development would have an eave height of approximately 2.9m which is slightly lower than the 3m maximum limit.

j) The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would –

(i) Exceed 4 metres in height;

(ii) Have more than a single storey; or

(iii) Have a width greater than half the width of the original dwellinghouse.

The proposed development comprises a single-storey rear extension and, although flush with the eastern and western side elevations, would not extend beyond a wall forming a side elevation of the original dwellinghouse. As such, Criterion (j) is not applicable.

Ja) Any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j).

The existing enlargement would either be demolished to facilitate the delivery of, or would be incorporated into, the proposed development. As such, Criterion (ja) is not applicable to the proposed development.

k) It would consist of, or include –

(i) The construction or provision of a verandah, balcony or raised platform;

(ii) The installation, alteration or replacement of a microwave antenna;

(iii) The installation, alteration or replacement of a chimney, flue or soil and vent pipe; or

(iv) An alteration to any part of the roof of the dwellinghouse.

The proposed development would not comprise any of the above.

A.2 In the case of a dwellinghouse on Article 2(3) land, development is not permitted by Class A if –

(a) It would consist of, or include, the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles.

The dwellinghouse and proposed development are not on Article 2(3) land and so the criteria set out under A.2 is not applicable.

(b) The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse.

The dwellinghouse and proposed development are not on Article 2(3) land and so the criteria set out under A.2 is not applicable.

(c) The enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.

The dwellinghouse and proposed development are not on Article 2(3) land and so the criteria set out under A.2 is not applicable.

(d) Any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceed or would exceed the limits set out in sub-paragraphs (b) to (c).

The dwellinghouse and proposed development are not on Article 2(3) land and so the criteria set out under A.2 is not applicable.

A.3 Development is permitted by Class A subject to the following conditions –

(a) The materials used in any exterior work (other than materials used in the construction of a conservatory) shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.

The existing dwellinghouse comprises traditional brick and tile construction, supplemented with white horizontal cladding boards, white rendered and painted walls, and UPVC windows and doors. The Amended Proposal Elevations states that proposed development would provide a white finish to cement render to match existing. The above accords with Condition A.3(a).

(b) Any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse shall be –

(i) Obscure-glazed; and

(ii) Non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

The proposed development comprises a single storey rear extension with no side windows and/or doors. As such, Condition A.3(b) is not applicable to the proposed development.

(c) Where the enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

The proposed development comprises a single storey rear extension with a flat roof. As such, Condition A.3(c) is not applicable to the proposed development

(iii) Impact upon the Character and Appearance of the Area

7.5 The existing rear structure would be demolished to facilitate the delivery of, or would be incorporated into the construction of, the proposed single storey, flat-roofed rear extension. The proposed extension would comprise a depth, width, eaves height and maximum height of approximately 4.65m, 5.7m, 2.9m and 3.15m respectively. The proposed development would extend no further than the existing rear structure and would be in line with the rear wall of the adjoining neighbouring property at No.14 Passingham Walk. Finally, the proposed flat roof would include 2no. rooflights and 1no. pitched lantern.

7.6 The only matters which can be taken into account, when considering the impact of a prior approval application on the character and appearance of the area, are as follows:

Appearance insofar as it affects amenity; and/or
Size of buildings insofar as it affects amenity

7.7 Moreover, the appearance, design and mass of the proposed development is deemed to be acceptable and appropriate in the context of the application site and its locality. It is considered that the proposed development would not result in an adverse impact on the visual amenity of the locality and, as such, it would meet the requirements of Policy CS16 in the Havant Borough Local Plan (Core Strategy) 2011.

(iv) Impact upon Residential Amenity

7.8 The only matters which can be taken into account, when considering the impact of a prior approval application on neighbouring properties, are as follows:

Overlooking and loss of privacy; and/or
Overshadowing and loss of light; and/or
Noise and disturbance (excluding construction).

7.9 A site visit was carried out on 29 June 2022. The proposed development would be in line with the rear wall of No.14 Passingham Walk (adjoining neighbour to the east) and would be no closer to No.18 Passingham Walk (neighbour to the west) than the existing rear structure. Consequently, it is considered that the proposed development would not result in substantial adverse harm to residential amenity in terms of overshadowing, loss of light, overlooking nor loss of privacy. As such, it is considered that the proposed development would meet the requirements of Policy CS16 in the Havant Borough Local Plan (Core Strategy) 2011.

8 Conclusion

8.1 The application is considered to be acceptable and is recommended for approval.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to determine that **PRIOR APPROVAL IS REQUIRED AND HEREBY GIVEN** for application APP/22/00451 subject to the standard materials condition in Schedule 2, Part 1, Class A of the GPDO.