

DELEGATED OFFICER REPORT

APPLICATION REFERENCE: APP/24/00273

APPLICATION TYPE: Full Planning Permission

PROPOSAL: Two storey rear extension and single storey rear extension with new pitched roof above existing flat roof single storey structure, with revised cladding and roof tiles.

SITE ADDRESS: 12 Wensley Gardens, Emsworth, PO10 7RA

AGENT DETAILS: Martin Farrer
MF Designs Ltd

APPLICANT DETAILS: Mr & Mrs Spencer

CASE OFFICER: Robert Riley

TARGET DATE FOR DECISION: 06/06/2024

RECOMMENDATION: GRANT PERMISSION

1 Site Description

- 1.1 The application site comprises a detached chalet bungalow located in Emsworth. The property features render, brickwork and tilework for its external walls, and brown concrete tiles in a gable pitch to comprise its roof. To the rear and sides of the application site are trees, with a large tree under a Tree Preservation Order (TPO) to the rear of the site. To the eastern side of the site is a substation.
- 1.2 The application site is in an area that would be considered both urban and residential, with the character of the street featuring mainly two storey dwellings, with rendered cladded and brickwork designed dwellings in evidence.

2 Planning History

05/70369/000 - Alterations and extensions to include construction of a pitched roof over the existing lobby, porch and dormer window to the front elevation. Provision of living accommodation at first floor level over the existing car port and within a new pitched roof over the existing flat roof garage., PERM,04/05/2005
APP/19/00109 - Deadwood 1No. Oak and reduce south and eastern sector by 2m, subject to TPO 1033., PERM,20/03/2019
APP/24/00308 - Two storey rear extension and new pitched roof above existing flat roof single storey structure, with revised cladding and roof tiles., UNK,

3 Proposal

- 3.1 This proposal would feature 8 elements:

- Two storey rear extension
- New pitched roof above existing flat roof single storey structure with 2No rooflights.
- Revised cladding
- Revised roof tiles.

- Single storey extension
- 2No Rooflights on first floor of main dwelling
- Removal of conservatory
- Additional terrace space, confirmed in email to be at ground level

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)
DM8 (Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)

Emsworth Neighbourhood Plan Post Examination Version 2020

ENP_D1 (General Design Policy)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 **Statutory and Non Statutory Consultations**

Councillor Grainne Rason

No comments received

Former Councillor Lulu Bowerman

No comments received

Former Councillor R Kennett

No comments received

Emsworth Residents Forum

No comments received

Ecologist

Initial comment:

Tricky to tell from street view, but works will replace hanging tiles on south and west elevations so clearly potential for bats to be present beneath these. Preliminary ecological appraisal required, focusing on bats.

Following these comments, the officer asked for a Preliminary ecological appraisal, focusing on bats. Subsequently, the agent sent over a bat survey. Following this, the Council's Ecologist was reconsulted whereby he left the following comments:

Updated comment:

The application is accompanied by a Bat Survey Report (AEWC, October 2024).

Following an assessment that the dwelling offered bat roosting potential, two bat emergence surveys were carried out in summer 2024. No bats were observed emerging from the property and it is concluded that roosting bats are not currently a constraint. No additional survey works are necessary. If you are minded to grant permission, can I suggest that ecological avoidance, mitigation and enhancement measures are secured by condition. Development shall proceed in accordance with the ecological avoidance and mitigation measures as detailed in sections 5 and 6 of the Bat Survey Report (AEWC, October 2024) unless otherwise agreed in writing by the Local Planning Authority. Reason: to provide ecological protection in accordance with the Environment Act 2021, Conservation Regulations 2017, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Core Strategy March 2011.

Southern Electric

No comments received

Arboriculturist

1. I have carried out a review of the relevant documents available on the HBC planning portal and provide the following comments. Please note this is as desktop review only, as I have not had instruction for a site visit. In the absence of a site visit I must assume any submitted descriptions and assessments of the trees and the site to be true, fair, and accurate.
2. No arboricultural information is available on the portal, therefore I assume none has been submitted.
3. Comparing the submitted drawings to Google maps I can see that there are trees, including trees subject to Tree Preservation Orders, in close proximity to the proposed work. If the alterations to the garage are on existing foundations, and there is no requirement for excavation near trees e.g for new drainage, there should be little impact from the proposal itself. However, there is potential for the construction process to damage the trees if not appropriately managed.
4. In summary, I have no concern regarding the proposal, but I recommend the following Planning Condition be used to safeguard trees.

'Before any work starts on site, a Tree Protection Plan or Arboricultural Method Statement prepared in accordance with BS 5837:2012 must be submitted to the local planning authority (LPA) for approval. This must then be adhered to by all site personnel and will be enforced by the LPA. This will include the positions and the design of physical protection methods, that will protect trees from the construction process, and details of any other special precautions necessary.'

Officer comment:

The agent regarding the garage foundations has advised the officer "*As discussed, it is unknown at this stage if the existing garage foundations will be suitable, and to be determined with investigation/structural engineer confirmation. However, I would envisage unlikely as little extra load required with the revised roof, but if required then likely to be a limited number of localised pads which would be dug by hand and located on corners and intermediate locations under the existing garage footprint*".

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: 8

Number of site notices: 2

Statutory advertisement: Not applicable.

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 design and impact on the character of the area
- (iii) Effect on neighbouring properties
- (iv) Ecology
- (v) Arboriculture
- (vi) Biodiversity Net Gain (BNG)

(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 This application seeks to provide 8 elements, being a two-storey rear extension, additional terrace space, a new pitched roof above existing flat roof single storey structure with 2No rooflights, revised cladding, revised roof tiling and a single storey extension, the removal of a conservatory and 2No rooflights on first floor of the main dwelling.

Character, bulk and the streetscene

7.4 Part of the works would be readily visible upon the streetscene with regards to the new pitched roof above the existing flat roof garage, revised cladding and roof tiling.

7.5 The proposed removal of the rear conservatory, addition of terrace and 2No rooflights on the first floor of the main dwelling are considered acceptable regarding the character of the dwelling and visual amenities.

7.6 The proposal to add a pitched roof above a garage is considered a modest and acceptable change to the existing dwelling and is not considered to harm visual amenities.

7.7 The proposed two-storey rear extension and the proposed single-storey rear extension would both feature pitched roofs and are considered to be of modest scales upon the dwelling and would not be visible upon the streetscene and are considered to be acceptable additions with regards to the existing dwelling and visual amenities.

Materials

- 7.8 This proposal seeks to revise the roof tiling of the existing dwelling, this would feature dark grey concrete interlocking tiles which is considered acceptable. The works also propose a change to external materials, this would include using facing brickwork to match the existing dwelling at elements of the ground floor level, which is considered acceptable, painted render and external weatherboard cladding. The painted render in an email has been confirmed to be white, the external weatherboarding in an email has been confirmed to be a mid grey weatherboard cladding,. The proposed render and cladding elements of the work are considered to be acceptable with regards to the surrounding streetscene with features a variety of external materials.
- 7.9 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 2011) and Policy D1 General Design Policy of the Emsworth Neighbourhood plan. It is considered that the scheme would not result in an adverse impact on the visual amenity of the locality.

(iii) Effect on neighbouring properties

7.10 To the western, eastern and southwestern sides of the application site are properties at No.50 Woodlands Avenue and Nos 13 and 11 Wensley Gardens. Due to proximity, the main impact to assess would be in regard to these 3 properties. Due to the scale, location and nature of the works, properties to the front and rear of this property are considered to be acceptably impacted. The revised cladding, addition of terrace revised roof tiles, removal of conservatory, 2No rooflights on the first floor of the main dwelling due to sufficiently height from first floor level are considered to have acceptable neighbourly impacts.

No.50 Woodlands Avenue

7.11 The pitched roof over the existing garage would feature no fenestration facing No.50 Woodlands Avenue and would be at a sufficient separation distance whereby overshadowing and overbearing concerns would be acceptable. The single storey and two storey extensions would feature rear fenestration, however this would face the rear garden, and at most would provide oblique views of No.50 Woodlands Avenue which is considered acceptable. The proposed extensions would feature a sufficient minimum separation distance of at least approximately 17.5 metres, at this distance unacceptable impacts regarding overshadowing and overbearing concerns would be prevented.

No.13 Wensley Gardens

7.12 The pitched roof over the existing garage aspect of the works, would feature 2No rooflights facing No.13, however these are considered to be at a sufficient height from ground level to prevent overlooking of No.13's garden. The pitched roof would increase the bulk of the outbuilding, but in consideration of the 2 metre approximate separation distance from No.13's rear garden, this dwelling is considered to be acceptably impacted regarding overshadowing and overbearing concerns by this element of the proposal. The single storey and two storey rear extension aspects of the work would feature fenestration, which would face the rear garden, and at most would only provide oblique views of No.13's rear garden and this is considered acceptable. The single storey aspect of the works would feature an approximate 5 metre separation distance from No.13 and the two storey aspect would feature an approximate 9 metre separation distance. At these distances, overbearing and overshadowing concerns are considered to be acceptable.

No.11 Wensley Gardens

- 7.13 The pitched roof over the existing garage aspect would feature a sufficient separation distance from No.11 Wensley Gardens to prevent unacceptable impacts regarding overshadowing and overbearing. Its rooflights would face No.13 Wensley Gardens and this element is considered to have an acceptable impact regarding overlooking, due to their height. The single storey extension and two storey rear extension to the rear of the dwelling, would feature no fenestration facing No.11 Wensley Gardens and would feature a minimum separation distance of at least approximately 13.5 metres from No.11 Wensley Gardens. With regards to this, these elements are considered to have an acceptable impact on No.11 Wensley Gardens regarding overlooking concerns, and to be acceptable regarding overbearing and overshadowing concerns.
- 7.14 Consequently, it is considered that the proposal would not appear overbearing or lead to a loss of light, outlook or privacy 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 2011) and Policy D1 General Design Policy of the Emsworth Neighbourhood plan. It is noted no letters of objection were received with respect to the scheme.

(iv) Ecology

- 7.15 Due to works that would impact the roof, the Council's Ecologist was consulted during the application process regarding risk to potential bat species. In light of this, the Council's Ecologist stated " *Tricky to tell from street view, but works will replace hanging tiles on south and west elevations so clearly potential for bats to be present beneath these. Preliminary ecological appraisal required, focusing on bats*".
- 7.16 Regarding this, a bat survey was received, The Council's Ecologist was consulted regarding this whereby he stated " *The application is accompanied by a Bat Survey Report (AEWC, October 2024). Following an assessment that the dwelling offered bat roosting potential, two bat emergence surveys were carried out in summer 2024. No bats were observed emerging from the property and it is concluded that roosting bats are not currently a constraint. No additional survey works are necessary. If you are minded to grant permission, can I suggest that ecological avoidance, mitigation and enhancement measures are secured by [the following] condition.*

Development shall proceed in accordance with the ecological avoidance and mitigation measures as detailed in sections 5 and 6 of the Bat Survey Report (AEWC, October 2024) unless otherwise agreed in writing by the Local Planning Authority. Reason: to provide ecological protection in accordance with the Environment Act 2021, Conservation Regulations 2017, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Core Strategy March 2011."

- 7.17 In light of this, and with the appropriate ecological mitigations secured by condition, this proposal is considered to be likely to have an acceptable impact regarding bat risk, and to accord with policies DM8 and CS11 of the Havant Borough Local Plan (Core Strategy 2011).

(v) Arboriculture

- 7.18 Due to a large tree under a Tree Preservation Order (TPO) overhanging the rear of the curtilage of the application site and numerous trees around the western and eastern sides of the application site, the Hampshire County Council Arboricultural Consultancy (HCCAC) was consulted during the application process. In light of this, the (HCCAC) Hampshire County Council Arboricultural Consultancy stated " *Comparing the submitted drawings to Google maps I can see that there are trees, including trees subject to Tree*

Preservation Orders, in close proximity to the proposed work. If the alterations to the garage are on existing foundations, and there is no requirement for excavation near trees e.g for new drainage, there should be little impact from the proposal itself. However, there is potential for the construction process to damage the trees if not appropriately managed" they also stated " In summary, I have no concern regarding the proposal, but I recommend the following Planning Condition be used to safeguard trees".

Before any work starts on site, a Tree Protection Plan or Arboricultural Method Statement prepared in accordance with BS 5837:2012 must be submitted to the local planning authority (LPA) for approval. This must then be adhered to by all site personnel and will be enforced by the LPA. This will include the positions and the design of physical protection methods, that will protect trees from the construction process, and details of any other special precautions necessary.'

7.19 The recommended condition was discussed with the agent, who did not agree with the wording of the above prior commencement condition. In reviewing the wording of this condition, officers consider that the following condition would sufficiently mitigate the impacts upon the protected tree

"Prior to commencement of development, suitable tree protective barriers compliant with the recommendations found in Figure 3a of BS5837:2012, must be placed 10 metres from the rear garden's (northern boundary) rear fence adjacent to the tree under the tree protection order (TPO) 1033. These 10 metres shall be a Construction Exclusion Zone (CEZ), enforced with a single line of fencing. No construction-related access shall take place within the (CEZ) of the tree. No materials storage, welfare facilities, or construction activities including cement mixing etc. are to occur near the Root Protection Area of the tree, or where there is any risk of spillage or run-off towards the trees and their (CEZ)".

Reason: This prior commencement condition is to ensure that trees to be retained are adequately protected from damage to health and stability throughout the construction period in the interests of amenity and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011

7.20 In conclusion, officers consider that the above condition would sufficiently mitigate against any harmful impacts upon the tree the subject of a TPO, according with Policy CS11 of the Havant Borough Local Plan (Core Strategy 2011).

(vi) Biodiversity Net Gain (BNG)

7.21 It is noted that this householder application is exempt from the requirements relating to Biodiversity Net Gain

8 Conclusion

8.1 The proposed development is acceptable in principle, is appropriate in terms of design and its impact on the character of the area, would have a limited and acceptable impact on the neighbouring properties, and would be acceptable in ecology and tree terms which would be controlled by conditions. On this basis it is recommended for approval.

9 RECOMMENDATION:

That the Head of Place be authorised to **GRANT PERMISSION** for application APP/24/00273

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

Drawing Number: P_01 A: PROPOSED FLOOR PLANS: Uploaded 24/4/24

Drawing Number: P_02 A: PROPOSED ELEVATIONS: Uploaded 24/4/24

Drawing Number: EX_01: EXISTING GROUND AND FIRST FLOOR PLANS: Uploaded 11/4/24

Drawing Number: EX_02: EXISTING ELEVATIONS: Uploaded 11/4/24

Drawing Number: P_03: LOCATION AND BLOCK PLAN: Uploaded 11/4/24

Email Named "Materials Specifications": Uploaded 24/10/24

BAT SURVEY: Uploaded 16/10/24

Reason: - To ensure provision of a satisfactory development.

- 3 The external materials used shall be as indicated on the submitted forms and hereby approved plans, or 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.

- 4 Development shall proceed in accordance with the ecological avoidance and mitigation measures as detailed in sections 5 and 6 of the Bat Survey Report (AEWC, October 2024) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide ecological protection in accordance with the Environment Act 2021, Conservation Regulations 2017, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS11 and DM8 of the Havant Borough Core Strategy March 2011.

- 5 Prior to commencement of development, suitable tree protective barriers compliant with the recommendations found in Figure 3a of BS5837:2012, must be placed 10 metres from the rear garden's (northern boundary) rear fence adjacent to the tree under the tree protection order (TPO) 1033. These 10 metres shall be a Construction Exclusion Zone (CEZ), enforced with a single line of fencing. No construction-related access shall take place within the (CEZ) of the tree. No materials storage, welfare facilities, or construction activities including cement mixing etc. are to occur near the Root Protection Area of the tree, or where there is any risk of spillage or run-off towards the trees and their (CEZ).

Reason: This prior commencement condition is to ensure that trees to be retained are adequately protected from damage to health and stability throughout the construction period in the interests of amenity and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core

Strategy) 2011