
Site Address:	13 Frogmore Lane, Waterloooville, PO8 9QN		
Proposal:	Proposed new outbuilding.		
Application Type:	Full Planning Permission		
Application No:	APP/23/00718	Expiry Date:	01/12/2023
Applicant:	Mr and Mrs Smith		
Agent:	Mr S Barlow	Case Officer:	Bethany Crowther
	The Steven Barlow		
	Partnership		
Ward:	Hart Plain		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site comprises a detached two storey property set back from the highway to the west of Frogmore Lane. The property contains a mix of brickwork to the lower section of wall, with a render finish to the upper sections of the wall and some elements of cladding. The property has a pitched roof with projecting gables. To the front of the site there is a hardstanding area and gravel driveway accommodating onsite parking. The site has a large rear garden which drops in level to the rear, where it adjoins a neighbouring property in Ash Copse.
- 1.2 The site contains a Woodland TPO area. A large tree is located in the front garden, with several trees to the rear.
- 1.3 The surrounding area is residential in character and consists of properties of varying style and design, with no established architectural pattern in the locality. The application site itself is sited between two small bungalows.

2 Planning History

00/56449/003 - Fell a Sycamore tree on the boundary of 11 and 13 Frogmore Lane within Woodland W1 subject to TPO1252., PERM,21/12/2000

98/56449/002 - Removal of two branches of an Oak tree to reduce the north east limb by 5 metres which overhangs into 9 Ash Copse. The Oak tree is within Woodland W1 subject to TPO 1252., PERM,21/10/1998

91/56449/000 - Raise crown to 4m, reduce and reshape crown by 20% max. and remove lower lateral to NE side on Sycamore covered by TPO 1252, PERM,09/09/1991

04/56449/004 - Application to prune to boundary, trees adjacent to rear boundary of 102 Lovedean Lane, subject of Woodland order W1 1252., PERM,11/10/2004

05/56449/005 - Application to remove a limb on the northern sector adjacent to a telephone line of a Sycamore tree, part of Woodland Order W1 subject of TPO 1252., PERM,14/10/2005

05/56449/006 - Application for crown reduction, to maintain a distance of 2 metres from the boundary with 7 Ash Copse, a Walnut, an Ash and a Hazel tree all within W1 of TPO 1252., PERM,11/11/2005

APP/14/00573 - Erection of single storey front, side and rear extensions, erection of two storey side and rear extension following removal of existing garage; with associated internal alterations. , REF,01/08/2014
 APP/14/00942 - Erection of single storey side and rear extensions, erection of two storey side and front extension following removal of existing garage; with associated internal alterations., PERM,11/11/2014 08:56:37
 APP/15/00479 - Application for non-material change to Planning Permission
 APP/14/00942 relating to increase in footprint of ground floor dining/kitchen area (rear side area of single storey extension) and add a hipped roof over., REF,28/05/2015
 APP/15/00986 - Application for Non-material changes to Planning Permission
 APP/14/00942 relating to changes to ground floor store, and changes to two storey side extension., PERM,23/09/2015
 APP/18/00553 - Pollard 1No. Oak, 2.5m from ground level. Subject to Woodland Order TPO 1252., PERM,11/07/2018
 APP/21/01236 - Fell 1No. Ash tree, subject to TPO 1252 within W1., PERM,11/01/2022

3 Proposal

Proposed new outbuilding to be located to the rear of the property adjacent to 7 Ash Copse. The building is to host a games/play room with wash room at ground floor level, and a home office within the roofspace, with materials to match those of the host dwelling.

The proposed development has been amended throughout the course of the application and subject to reconsultation with neighbouring properties. The proposed outbuilding has been reduced in height by 0.3 metres, dormers and entrance door on the west elevation omitted, and extent of glazing on the south elevation reduced. The amendments have been implemented for the outbuilding to read subservient to the host dwelling, for the east elevation to serve as the primary frontage and to address privacy concerns.

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)
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Emsworth Neighbourhood Plan Post Examination Version 2020

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

5 Statutory and Non Statutory Consultations

Arboriculturalist

No objection subject to conditions.

Reasons for Recommendation

The Council seeks to protect tree coverage in the Borough, sympathetically incorporating existing features into the overall design of the scheme including measures taken to ensure their continued survival.

The application is to demolish an existing shed for a new outbuilding on an area of existing hardstanding that is within an area subject to a Woodland Tree Preservation Order (TPO 1252). Due to the development being on existing hardstanding and the access to the site from Frogmore Lane is already established, there is unlikely to be any detrimental impact to the surrounding trees. Any potential impact to surrounding trees during the construction of the development are considered in the Arboricultural Impact Assessment Method Statement & Tree Protection Plan (Reference 4262) provided by Trevor Heaps Arboricultural Consultancy Ltd, which outlines the tree protection measures to be implemented on site.

The location of the services to the outbuilding from 13 Frogmore Lane are also indicated in Appendix 9 – Tree Protection Plan (Drawing No. TH/A3/4262/TPP) of the Arboricultural Impact Assessment Method Statement & Tree Protection Plan (Reference 4262). Whilst it might not be the finalised route for services to the outbuilding, it does appear feasible to connect the outbuilding with services from 13 Frogmore Lane, without having a detrimental impact on the surrounding trees. Based on the information submitted, if the officer was minded to grant permission the potential impact of the surrounding trees should be secured by way of condition, and would be in accordance with Policy CS16 and DM8 of the Havant Core Strategy (2011).

Recommendation:

Approval subject to the following conditions;

a) Pruning works:

Any required tree works shall be pruned in accordance with the recommendations in British Standard BS3998:2010 (Recommendations for Tree work).

Reason: To ensure the continuity of amenity value afforded by the trees in question and having due regard to policies CS16 and DM8 of the Havant Borough Core Strategy (2011) and the National Planning Policy Framework.

b) Tree protection measures:

The development hereby permitted shall only be carried out in accordance with BS5837:2012: Tree Survey and Arboricultural Impact Assessment Method Statement & Tree Protection Plan (Reference 4262) provided by Trevor Heaps Arboricultural Consultancy Ltd.

Reason: To ensure the continuity of amenity value afforded by the trees in question and in accordance with policies CS16 and DM8 of the Havant Borough Core Strategy (2011) and the National Planning Policy Framework

Councillor Carly Scannell - Hart Plain

No comments received.

Councillor E Shimbart - Hart Plain

No comments received.

Councillor James Blades

No comments received.

Developer Services, Southern Water

Thank you for your letter dated 09 October 2023.

Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer. To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link:

southernwater.co.uk/developing-building/connection-charging-arrangements

Please note: There is a private foul sewer within the development site.

In situations where surface water is being considered for discharge to our network, we require the below hierarchy for surface water to be followed which is reflected in part H3 of the Building Regulations. Whilst reuse does not strictly form part of this hierarchy, Southern Water would encourage the consideration of reuse for new developments.

- Reuse
- Infiltration
- Watercourse
- Storm sewer
- Combined Sewer

Guidance on Building Regulations is here:

gov.uk/government/publications/drainage-and-waste-disposal-approved-document-h

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site. For further advice, please contact Southern Water, Southern

House, Yeoman Road, Worthing,

West Sussex, BN13 3NX (Tel: 0330 303 0119).

Website: southernwater.co.uk or by email at:

SouthernWaterPlanning@southernwater.co.uk

Yours faithfully,

Future Growth Planning Team

Developer Services

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: 6

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 3

The application was subject to a 7 day reconsultation with neighbouring properties following the submission of amended plans.

Comment	Officer Comment
<u>Initial Consultation:</u> <u>Design:</u> • Mass and scale of the outbuilding. • Proposed dormers. • Siting of outbuilding • Building is extensively large for an outbuilding, resemblance to a 2 storey house. • Height of building <u>Light:</u> • Loss of light and overshadowing to the neighbouring property. <u>Privacy:</u> • Extent of glazing on south elevation and proposed dormers causing overlooking to living room and bedroom. <u>Other:</u> • Location of aquifer and chalkpit. • Vague plans	Please see section 7. Please see section 7. Please see section 7. The outbuilding would be located away from the aquifer inlet. It is considered that the work would not have an impact in that respect. Whilst located within a Source Protection Zone, Portsmouth Water does not require consultation on householder applications such as this. The plans meet the requirements, being drawn to a recognised scale and with clear depictions of the appearance of the building proposed.
<u>Reconsultation:</u> • Height and location of outbuilding. Loss of light to back of house and garden.	Please see section 7.

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 and proposed use
- (ii) Appropriateness of design and impact on the character of the area
- (iii) Effect on neighbouring properties
- (iv) Effect on TPO trees

(i) Principle of development and proposed use

- 7.2 The application site is located within the defined urban area, therefore development is considered acceptable in principle subject to development management criteria. This householder application has been determined on the basis of the proposed outbuilding being for ancillary residential uses only, and not for any change of use to independent accommodation.
- 7.3 The agent has provided a statement regarding the intended usage of the outbuilding stating that the ground floor would be used as a games/snooker room with an office and storage at the first floor level. There would also be a bathroom located on the ground floor. Such purposes fall within the scope of uses ancillary to the use of the site as a single dwelling, and on this basis the proposal is not considered to give rise to a separate planning unit. A planning condition has been recommended to ensure that the outbuilding is to be occupied for ancillary purposes only.

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

- 7.4 As originally submitted there was concern that the size, scale and siting of the originally proposed outbuilding was tantamount to a new dwelling. Following negotiations, amended plans have omitted the proposed dormers and entrance door on the west elevation and a reduction in height by 0.3 metres to allow the outbuilding to be considered as appropriately subservient on the site, both in relation to the host dwelling and in relation to the nearest adjacent property at 7 Ash Copse.
- 7.5 The proposed outbuilding would be located to the rear of the dwellinghouse at the application site and positioned approximately 1.5 metres adjacent to 7 Ash Copse. The height of the proposed outbuilding would be approximately 2.8 metres lower than that of 7 Ash Copse, with ground level approximately 0.75 metres below 7 Ash Copse, making the outbuilding read as a subservient structure rather than another dwelling. The materials would comprise engineering brickwork to the lower section of the walls and render finish to the upper section to match the existing dwellinghouse. The roof tiles would be slate to match the existing dwelling, with dark grey/ anthracite doors and windows to match the existing dwelling. The materials are considered in keeping with the context of the main dwellinghouse. The proposed outbuilding would be partially visible from the street scene from both Frogmore Lane and Ash Copse. The design of the building is however considered in keeping with the context of the host dwelling and would not cause adverse harm to the character of the area.
- 7.6 On balance, given the context of the site, it is considered that the siting and scale of the amended development would not result in any material harm to the appearance of the street scene or character of the area sufficient to justify a reason for refusal. 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). 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

- 7.7 The proposed outbuilding would align with the side elevation of no. 7 Ash Copse, which is a two storey dwellinghouse and has a blank side elevation. There is a high level boundary fence separating the two properties. Whilst it is acknowledged that there will be a degree of loss of light to the rear garden of 7 Ash Copse in the afternoon hours, due to the siting of the outbuilding in line with No.7, the orientation of the building and the roof design with the pitch sloping away from the open boundary, it would not be to a degree that would lead to an unacceptable adverse impact to the amenity of this neighbouring property in terms of light or outlook and would not justify a refusal. Two small velux windows are proposed on the east elevation, with a cill height 1.5m above first floor level. Given their modest size and position within the roof they are not considered to lead to a harmful loss of privacy to the neighbouring property.
- 7.8 To the south east of the proposed outbuilding is no. 11 Frogmore Lane. The original proposal has been amended to address concerns in relation to the extent of glazing proposed on the first floor of the south elevation. The distance between the window of the first floor of the proposed outbuilding when measured directly to boundary is approximately 18.4 metres and when measured at an angle to the neighbouring property is approximately 28 metres. The windows are considered acceptable as they are in excess of the required distance set out in the Council's Design SPD for direct overlooking. As the neighbouring property is sited at an oblique angle, it is considered that the outbuilding would not result in unacceptable harm in terms of loss of privacy to the neighbouring property. The proposed outbuilding is therefore considered to not lead to an unacceptable loss of light or outlook to no. 11 Frogmore Lane.
- 7.9 To the north west of the outbuilding are the rear gardens of no. 8 & 9 Ash Copse. The proposed dormers to the west elevation have been omitted from the proposal to address privacy concerns. Due to the separation distances, it is considered that the proposed outbuilding would not result in any unacceptable loss of privacy, outlook or light to these properties.
- 7.10 Consequently, it is considered that the proposal will 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).

(iv) Effect on TPO trees

- 7.11 The site has a Woodland Tree Preservation Order and as such all trees on the site are protected from any damage. The application is supported by an Arboricultural Impact Assessment, Method Statement and Tree Protection Plan to demonstrate that the proposed development will cause no harm to the trees and their roots. The Council's Tree Officer has reviewed this assessment and raised no objection to the proposal subject to conditions. On this basis it is considered that the proposal would meet the requirements of Policies CS11, CS16 and DM8 of the HBLP (Core Strategy).

8 Conclusion

- 8.1 The proposed development is acceptable in principle and in terms of the proposed ancillary use, is appropriate in terms of design and its impact on the character of the area, and would have a limited and acceptable impact on the neighbouring properties and protected trees. On this basis it is recommended for approval.

9 RECOMMENDATION:

That the Head of Place be authorised to **GRANT PERMISSION** for application APP/23/00718 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:

LOCATION PLAN - Planning Portal Reference: PP-12376206v1
EXISTING AND PROPOSED INDICATIVE ELEVATIONS - 0749-01.005.03
REV 03
PROPOSED FIRST FLOOR LEVEL PLAN AND MAIN ROOF LEVEL PLAN -
0749-01.004.03 REV 03
PROPOSED SITE PLAN AND GROUND FLOOR LEVEL PLAN
-0749-01.002.03 REV 03
Proposed Section S-001 - 0749-01.006.01 Rev 01

Reason: To ensure provision of a satisfactory development.

- 3 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.

- 4 Any required works to trees on site shall be carried out in accordance with the recommendations in British Standard BS3998:2010 (Recommendations for Tree work).

Reason: To ensure the continuity of amenity value afforded by the trees in question and having due regard to policies CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 The development hereby permitted shall only be carried out in accordance with BS5837:2012: Tree Survey and Arboricultural Impact Assessment Method Statement & Tree Protection Plan (Reference 4262) provided by Trevor Heaps Arboricultural Consultancy Ltd.

Reason: To ensure the continuity of amenity value afforded by the trees in question and in accordance with policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework

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

Reason: To comply with the terms of the householder application and as the site layout is unsuitable to be occupied separately from the main dwelling and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.