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Site Address: 5 Willow Close, Havant, PO9 2SX  
Proposal: Replacement single storey rear extension with raised terrace to rear of property and utility room in garage space  
Application Type: Full Planning Permission  
Application No: APP/22/00237 Expiry Date: 04/05/2022  
Applicant: Mr & Mrs Pearce  
Agent: Mr Sutcliff Case Officer: Graham Speller  
Sutcliff Consultants Ltd.  
Ward: St Faiths

Recommendation: **GRANT PERMISSION**

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## **1 Site Description**

- 1.1 The site is located on the southern side of Willow Close and is occupied by a detached two storey dwellinghouse with an attached double garage. The property also benefits from a single storey rear conservatory attached to the garage.
- 1.2 The surrounding area is residential in character with properties of varying styles and design.

## **2 Planning History**

APP/22/00064 - Replacement boundary fence (Retrospective)., INV,

## **3 Proposal**

- 3.1 Replacement single storey rear extension with raised terrace to rear of property and utility room in garage space.

## **4 Policy Considerations**

National Planning Policy Framework 2021  
Havant Borough Council Borough Design Guide SPD December 2011  
Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011  
CS16 (High Quality Design)

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**

**Councillor Imogen Payter**

No comments received.

**Councillor J Branson - St Faiths**

No comments received.

**Councillor T Pike - St Faith's**

No comments received.

**Portsmouth Water Company**

The Portsmouth Water Catchment Management Team have reviewed this application from a groundwater quality protection perspective due to its location within SPZ1 of the groundwater Catchment. We have no subsequent adverse comments to make due to the developments small nature.

## **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: 1

1 letter of objection raising the following issues:

- Do not oppose the principle of the development but have concerns regarding the proposed design
- Will have a severely adverse effect on privacy
- Represents a considerable increase in bulk and massing
- Design appears over bearing and out of scale with its surroundings
- Both properties are raised significantly above general ground level and the fence now on the boundary is barely sufficient to maintain mutual privacy
- Southern edge of the raised terrace will be only 1m from the boundary fence and will give clear views across garden and into habitable rooms
- Overlooking and lack of mutual privacy
- Discrepancy in drainage details
- Significant risk of flooding to garden
- Southern wall is a party wall and appropriate notification is required

## **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) Parking
- (v) Other matters

(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 Policy CS16 states, inter alia, that planning permission will be granted for development that is designed to a high standard and that all development should demonstrate that its design responds to, draws inspiration from and respects local context.
- 7.4 The Havant Borough Council Borough Design Guide SPD (December 2011) states, inter alia, rear extensions should be sympathetic and subservient to the original design of the building.
- 7.5 The proposal involves the demolition of the existing conservatory with a replacement single storey rear extension and re configuration of the internal layout. Whilst the proposed development would be wider and higher than the existing structure, it would have a small hipped roof appearance better assimilating into the design of the existing roof of the dwellinghouse.
- 7.6 The proposed development also includes a raised terrace, however, this would only extend as far as the eastern side of the existing dwellinghouse and is a common feature.
- 7.7 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

- 7.8 As noted above, an objection has been raised to the proposed development on a number of points, primarily being overbearing and out of scale and, combined with the proposed raised terrace area, resulting in overlooking and loss of privacy adversely impacting upon neighbouring residential amenity.
- 7.9 Policy CS16 states, inter alia, that planning permission will be granted for development that does not cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking.
- 7.10 The Design Guide SPD states, inter alia, that rear extensions also need to have particular regard to neighbouring properties and should maintain a distance of 20 metres from the extension and the neighbouring property to the rear. However, in this instance, the outlook from the proposed extension would be to the east towards the neighbouring property (16 Wade Court Road). The submitted plans clearly demonstrate that the distance from the outlook of the proposed extension to the rear of the neighbouring property would be in excess of 20 metres. The proposed extension would be some 21m from the eastern side boundary of the property.
- 7.11 Whilst the existing conservatory is now visible from the property to the south, namely

16 Wade Court Road, it is understood that this southern boundary used to have dense hedge screening, which is apparent on aerial photographs, but has been removed and a timber fence has been erected in place of the previous screening. This has resulted in some mutual overlooking from both properties although there is also mutual overlooking from the first floors of the properties. However, some degree of mutual overlooking of adjoining properties is not unusual in residential areas.

- 7.12 Concerns have been raised that the proposed extension would effectively increase overlooking and loss of privacy, however, it is considered that whilst the proposed development would be visible from the neighbouring property, as is the existing conservatory, sited at such a distance away from the neighbouring property's habitable room windows, it is not considered that there would be a significant degree of additional overlooking sufficient to warrant a refusal on these grounds.
- 7.13 Concern has also been raised regarding potential increased overlooking and loss of privacy as a result of the proposed raised terrace area and that the intervening fence would not be high enough to prevent this. It is acknowledged that the new raised terrace area would be higher than ground level, however, a raised terrace area is a normal feature found at the rear of properties and the proposed terrace area would not extend any further than the width of the main dwelling house. It is noted that the neighbouring property has a rear raised terrace area adjacent to that dwellinghouse and that this does afford some views of the application site. The concern raised is that the new raised terrace area would increase mutual overlooking. The proposed terrace area would be set 1.1m off the southern (rear) boundary, which forms the side boundary of the adjacent property. It is considered that whilst there would potentially be greater views of each of the properties, habitable rooms of the neighbouring property would not be adversely affected and there is still some intervening vegetation screening. However, due to the juxtaposition of the two properties, and in particular in terms of garden areas, it is acknowledged that the property at the application site does have existing views of the neighbouring garden from the rear of the dwellinghouse. The concerns raised are that the proposed terrace area would increase overlooking and loss of privacy. Whilst the proposed raised terrace area could potentially result in some additional overlooking of the neighbouring garden to the south, it is considered that this would be limited and that there would not be a significant loss of privacy as a result of the development.
- 7.14 Consequently, it is considered that the proposal will not appear overbearing or lead to significant overlooking 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) Parking

- 7.15 The proposed development includes converting part of the existing double garage to a utility room. Whilst this would reduce the amount of parking, there is a large driveway and adequate parking can be provided.

(v) Other matters

- 7.16 The agent has clarified that rainwater from the proposed extension is to be directed to a new soakaway within the property boundary and at least 5m away from any structure.
- 7.17 The agent has also commented that the garage wall is not a party wall, however, that

would be a civil matter and not a planning consideration. The agent has provided a title plan that illustrates this and therefore it is considered that the application has the appropriate certificate of ownership in this regard.

## **8 Conclusion**

- 8.1 The scale, siting and design of the proposal would have limited and acceptable impact on the neighbours and the character of the area and is therefore considered to be appropriate and recommended for approval.

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## **9 RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/22/00237 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:

2136/00 - LOCATION PLAN

2136 PP/02 - EXISTING AND PROPOSED FLOOR PLANS

2136 PP/01 - EXISTING & PROPOSED ELEVATIONS

2136 PP/03 - INDICATIVE POINTS / SECTIONS

**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.