
Site Address: 42 Bath Road, Emsworth, PO10 7ER
Proposal: Two storey side extension and single storey rear extensions, balconies and other alterations.
Application Type: Full Planning Permission
Application No: APP/22/00585 Expiry Date: 27/09/2022
Applicant: Mrs Battye
Agent: Mr Spivey Case Officer: Selina Donophy
 PWP Architects
Ward: Emsworth

Recommendation: **GRANT PERMISSION**

1 Site Description

This application site is a two storey, detached dwellinghouse located on the west side of Bath Road, Emsworth. This property is accessed via a private road which the site has a right of access across. This property has a hipped, tiled roof with elevations formed from brickwork. To the side is a detached garage with the main garden located to the south of the property.

To the west of the site is an allotment . Emsworth Mill Pond is sited approximately 70 metres to the east . The Emsworth Conservation Area stops at the site boundary.

2 Planning History

None relevant

3 Proposal

Two storey side extension and single storey rear extensions, balconies and other alterations.

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)
CS12	(Chichester Harbour Area of Outstanding Natural Beauty (AONB))
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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Submission Version Havant Local Plan

Emsworth Neighbourhood Plan Post Examination Version 2020

ENP_D1 (General Design Policy)
ENP_D2 (Height, Mass & Materials)
ENP_D3 (Layout, Form & Density)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist

Please consider this email as a consultation response from Arboriculture on the above planning application.

Although not statutorily protected, there are trees onsite which will require consideration. No protection measures have been specified to minimise the impact of this development on these trees during the construction process.

Recommendation:

I raise no objection to the proposals and if you are minded to permit the application, I would recommend that a suitably worded pre-commencement condition is imposed requiring the applicant to submit Arboricultural information to demonstrate how the construction will proceed without causing harm to trees and/or a suitable specification for replacement tree planting as mitigation for any trees that require removal in order to facilitate this development.

Case Officer comment : Further comment received following submission of tree protection plans by the applicant

I'm happy with the submitted information. No objection subject to the recommendations within the report.

Chichester Harbour Conservancy

NO OBJECTION WITH CONDITIONS

Appropriate planning conditions to control the materials of construction, the finished appearance, and measures to limit light pollution within the Dark Skies protocol should be considered and applied by the LPA.

Conditions are to be read in conjunction with the overall recommendation and should not be separated. Planning 'Permitted Development' allowances do not apply within an AONB. 'Permitted Development' works therefore require a planning application to be submitted to the Local Planning Authority for formal consideration.

Reasoned Justification

The current proposal lies inside the AONB. The proposal is within a built-up urban location within the AONB protected national landscape. The proposed works comprise works / alterations that require detailed approval of the LPA. The proposed works lie wholly within the site.

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The proposal is for the construction of extensions to the existing two-storey house. There is unfortunately no AONB Landscape Visual Impact Statement submitted with the application, notwithstanding this is a requirement of the LPA Local Validation List. There is no acknowledgement at all to the AONB or any assessment of the impact on the AONB. The Joint Chichester Harbour AONB Supplementary Planning Document is not mentioned. There is no reference to para 172 of the NPPF and no consideration of the AONB Management Plan Policy approach or specific AONB Planning Principles applicable. There is no attempt to make the case for the proposal meeting AONB guidance.

The planning history raises no recent and relevant cases to the current submission. The residential domestic use of the building and site are not changed. AONB PP01, PP03, PP09, Joint SPD considerations have been part of this AONB planning assessment.

The scale, structural shape, and building massing of the proposed works would have a noticeable impact within the site and immediate surroundings. The works to the building would be significant rather than being proportionate and are not subservient to the host building. From public vantage points this would be limited due to the setback of the site from the public highway, boundary landscaping, and intervening buildings. There would likely be a limited change in the visual scale/bulk/massing within the wider visual landscape of the AONB protected national landscape area.

The proposal increases the ground floor footprint accommodation area by approx. 64% (this increases to approx. 87% for the ground floor under canopy cover that could be infilled without seeking permission). The north/south building profile silhouette is increased by approx. 66%. The east/west elevation envelope silhouette is increased by approx. 17%. The increases are in excess of the AONB PP03 guidance allowances of 50% for ground footprint increase and 25% building silhouette profile increases. The increases however should be considered against the impact in building design and character within its surrounding setting.

The location of the proposed works are to the west (two-storey extn), the north (garage/carport), east (entrance porch and garage/carport), and south (two-story infill extn) and to the roof envelope of the dwelling house. The building is located within a built-up area to the end of a private drive and is therefore not readily noticeable to the Bath Road frontage. The layout retains a southern aspect to main rooms over the private garden area with access from the east. The site has no coastal boundary or frontage.

The design and appearance of the works are traditional in style and form. The design is large and imposing. Architecturally there are various design elements which provide a mix of visual and contrasting features. The appearance is not uniform or homogenous. Construction materials are indicated to be render to walls and slate to the roof. The existing building has brick walls and tile roof. The visual appearance would not be out of place in this setback location, the house to the south is of a similar large design and mainly screened from the highway.

The character and atmosphere / ambiance of the AONB locality is unlikely to be altered by this proposal. Internal and external illumination sources are unlikely to be an issue subject to compliance with glazing screening / window blind / light fitment cowling criteria.

In matters of ecology, biodiversity, or wildlife habitat, hibernation, foraging, mating, or spawning / nesting / rearing areas, the development proposal in the AONB would be unlikely to have any identifiable harmful impact. The proposal is unlikely to have any significant impact or effect on the AONB in relation to wildlife conservation and protection. The provision of on-site ecological enhancements, such as the provision of bat and bird boxes, hedgehog houses, etc. would be helpful in ensuring on-site wildlife is not excluded from the site. Any trees and hedges and any other green infrastructure should be retained, particularly where providing screening from surrounding external areas. There are no mitigation measures necessary in relation to this proposal.

Taking the proposal as described, given the backdrop and setting of the built-up area, the works considered to have a significant visual impact on the site, but these are limited to external views and would not be unduly imposing to the public realm. CHC has no substantive objection to the submitted physical works / operational use. The proposal is not viewed as being demonstrably harmful to the natural beauty of the AONB environment and surrounding supporting hinterland / buffer area. The external impact to the wider AONB protected landscape is limited and therefore generally acceptable to the AONB protected national landscape.

Conservation Officer

Whilst it is located within the conservation area boundary, due to its set back position, the property is not readily visible from Bath Road or from across the Mill Pond.

The proposal would see a complete remodelling of the existing property although it would be in a similar position within the plot and still retain a traditional form, albeit with a mixture of traditional and modern materials, including slate, brick and render. It would have a larger footprint which includes the two-storey extension to the west elevation.

Overall, the renovated and enlarged dwelling would still remain highly screened from view but nonetheless, the design is attractive and of high quality as such, would preserve and enhance the special qualities of the conservation area.

Conclusion

No objection

Councillor Julie Thain-Smith

No comment received

Councillor Lulu Bowerman

No comment received

Councillor R Kennett

No comment received

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: 8

Number of site notices: 1

Statutory advertisement: 29/07/2022

Number of representations received: 5 1 Objection and 4 Support

Comment	Officer Comment
[redacted] we are very happy to support this application. Mr & Mrs Battye have proven to be very pleasant new neighbours, helpful and accommodating, as reflected in their application, which is measured, thoughtful and considered, and takes into account the need for a pleasing and proportionate extension to their property. The current layout of the house is in need of updating and the planned extension will ensure a balanced and more symmetrical structure, in keeping with other local properties. We have no objections whatsoever and hope this application will be approved.	Noted.
I support the Planning Application due to the existing garage building being removed. This will allow more sunlight to enter my house during winter months.	Noted.
The proposed pleached tree screen shown along part of the eastern boundary is there to mitigate the visual impact of the south-west extension of the house. It is here requested, as a condition, that the pleached tree screen should be planted in position before the work begins on the south-west extension so as to screen from view the building work in progress (scaffolding etc).	Whilst this request is noted , planning conditions can only be applied where necessary and in this instance the impacts are considered in the planning considerations below and the screening from the planting would not be required as a condition to mitigate against overlooking.

Mature planting had been cut down prior to the application submission. Concerns in regards to the driveway being incorporated into use by the owners - the driveway should not be obstructed. Concerns surrounding the red line around the access road .	As the planting was not subjected to any tree protections these works did not require consent from the LPA Concerns have been noted however legislation states the application site red line should link up to the highway - it is confirmed a Certificate B has been served on the owners of the private road and the applicant only has access rights across this road and not ownership rights.
We are the owners of an adjacent property, [redacted]. We have reviewed these proposals in detail and would like to express our full support.	Noted.

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, the conservation area and the AONB
- (iii) Effect on neighbouring properties
- (iv) Trees
- (v) Flood risk
- (vi) CIL
- (vii) Parking

(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. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires planning authorities, when considering whether to grant planning permission for development which affects a Conservation Area, to have special regard to the desirability of preserving or enhancing the character and appearance of that area.

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

7.3 This proposal comprises of various extensions resulting in a remodelling of the property. The proposed changes are described below :

7.4 Two storey side extension

A two storey extension is proposed to the west side of the dwelling which would have dimensions of approximately 10.5 metres depth, 6.5 metres width, 5.3 metres to eaves height and 9 metres to ridge height. This extension would have a hipped roof and would project further back towards the rear than the main dwelling. To the front (south) elevation would be a balcony at first floor level supported by posts which would project beyond the ground floor by approximately 2 metres. This extension would form a family room at ground floor level served by bi-fold doors to the south and west. To the rear of that would be a snug and pantry - the snug served by bi-fold doors to the west elevation and the pantry served by a window to the north elevation. At first floor level would be a master bedroom towards the front with windows to the south and west elevations and doors leading out on to the balcony which would have balustrading around the perimeter at 80 cm height. Towards the rear would be a walk in wardrobe and ensuite - the ensuite with windows to the north and west and the wardrobe with a window to the north.

7.5 Plant room

To the rear (north) of the proposed two storey side extension would be a ground floor extension forming a plant room. This would have a mono-pitched roof with dimensions of approximately 2.2 metres depth, 3.7 metres width, 2 metres to eaves height and 3.5 metres total height. This would be served by a door to the north elevation.

7.6 Front extension (south)

An in-fill extension would be added to fill the space between what is currently the lounge and study - the bay window would be removed from what is currently the lounge where a new door and window would be added. Where the extension is proposed this would create a larger hallway area. This extension would be at two storey height with a pitched roof which would be set just below the main roof ridge.

7.7 Porch to east elevation

A porch extension would be added to the east elevation which would have a depth of 1.8 metres approximately, 2.7 metres width and 3.5 metres height - the porch would extend further towards the south with an overhanging, hipped roof supported by posts. The porch would lead into a boot room with a door to the north elevation.

7.8 Extensions to the rear

There is currently a breakfast room to the rear of the property. The property would be extended to the north to come level with the east elevation wall and this would create a garage and car port. There would be one roof extending across both, with the car port supported by posts. The roof would be hipped inwards with an area of flat roof and this would come up to the north boundary of the site. The existing detached garage would be removed.

7.9 Other alterations

The flat roof dormer has been retained at second storey height and the existing chimney has been removed. A balcony would be added to 'bedroom 4' to the south elevation above the ground floor with balustrading surrounding the perimeter. A juliet balcony would also be added to the south elevation serving 'bedroom 3'. Proposed materials include slate to the entire roof and beige brick to the south and west elevations. The remainder of the property would be rendered. The property will be internally re-configured also and the area where the garage was sited would be paved. It is noted landscaping proposals including planting is also proposed to the south east elevation boundary.

7.10 This proposal would result in a reasonable addition to the building footprint and substantial change in appearance from the existing however the property is sited within a large garden which could accommodate the additions to the building. The extensions would also remain generally subservient in scale and appearance when judged within the scale and appearance of the host dwelling. It is noted there is a variety of building sizes, styles and materials used in the surrounding area and no set pattern of development. Overall this proposal is considered to accord with Policy CS16 of the Havant Borough Local Plan (Core Strategy).

7.11 To the east of the site the Chichester Harbour AONB boundary lies alongside the Mill Pond. The Chichester Harbour Conservancy have been consulted in regards to this application and have no objection to uphold - the dark skies policies are noted, however, in this instance the extension would be located away from the AONB with properties surrounding it.

7.12 The property is sited adjacent to the Conservation Area boundary and therefore Havant's Heritage Officer has been consulted in regards to this proposal. No objection has been upheld with no harm identified to the Conservation Area or its setting and the screening to the site is noted- this proposal would therefore preserve and enhance the special qualities of the conservation area.

7.13 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

7.14 To the south of the application site is No. 43 Bath Road. There is approximately 40 metres separation distance between these properties. A new balcony is proposed to the south elevation at first floor level however this separation distance would minimise any potential overlooking and greatly exceeds the minimum separation distance of 20 metres as specified in the Havant Borough Design Guide. It is also noted there is some level of screening along the side and rear boundaries and there is an existing balcony which already offers similar views.

- 7.15 To the south east of the application site is No. 44 Bath Road with No. 45 to the south of No. 44. The south elevation of No. 42 does not directly align with the plot of No. 44. Whilst a new balcony is proposed, the views from this would largely be screened by the existing tree. The balcony serving the master bedroom would be moved across from the existing position however again the tree would offer some level of screening and it is noted further planting is proposed to the south eastern boundary. There would be approximately 40 metres separation distance between no 42 and no 44 which significantly exceeds the minimum distances as set out in the Havant Borough Design Guide SPD. With the existing views in mind alongside the context of the property siting, there is not considered to be harmful additional overlooking towards No. 44 nor to No. 45 to the south of No. 44.
- 7.16 To the east of the application site are No's. 40 and 41 Bath Road. The balcony proposed could offer some views towards the east, however, it is noted there is already a bedroom window with this same view. There is over 40 metres separation distance between No. 42 and the rear of No. 41 which is considered to be substantial to mitigate against any harmful overlooking. The existing garage would be removed which is not considered to result in detriment to the amenity of No. 41.
- 7.17 To the north of the application site are nos 15 and 17 Watersedge Gardens. The rear of both of these properties face toward the rear elevation of no 42 and are set down at lower level than the application site. Whilst there would be an increase in the windows to the rear (north) elevation, these would mainly serve bathrooms, a walk in wardrobe and would be obscure glazed so there is not considered to be additional overlooking as a result of this proposal. The proposed two storey extension would be sited closest to No. 17 - there would be approximately 11 metres separation distance back to back. The minimum separation distance required would be 10 metres as specified in the Havant Borough Design Guide SPD which has therefore been met- it is also noted the extension would be sited to the side of the main dwelling of No. 17 mostly in line with the side garden. The set off distance is considered to mitigate against overshadowing to the garden of No. 17. The proposed garage/ car port would be located mainly adjacent to the rear of No. 17 - this would have an eaves height of approximately 2 metres with the roof hipped away from the shared boundary. The garage would straddle the garage block between No's 17 and 15 and the rear garden of No. 17. At the time of the site visit a 1.8 metre high fence was in place for some of the rear boundary and the remainder had been left open with no boundary treatment in place. Noting that the eaves height would only just rise above the standard fence panel height, and with the roof hipped away it is considered that additional harm would be negligible in this instance in terms of overshadowing or overbearing impact. No harm has been identified impacting the amenity of No. 15.
- 7.18 To the west of the application site are allotments.
- 7.19 Consequently, it is considered that the proposal will not appear overbearing or lead to 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) Trees

- 7.20 There are trees on site however these are not subject to TPO's and include mature Oak and Horse Chestnut trees. Following the initial Arboricultural Officer consultee comment requesting tree protection plans, these plans have been provided by the applicant and have been reviewed and accepted by the Arboricultural Officer. These plans will need to be adhered to throughout construction.

(v) Flood risk

- 7.21 The site is not within Flood Zones 2 or 3.

(vi) CIL

- 7.22 This proposal would result in less than 100 m2 additional floorspace following the demolition of the garage. This is therefore not CIL liable.

(vii) Parking

- 7.23 There would be adequate parking for 3+ car parking spaces on site which would meet the Havant parking SPD requirements.

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/22/00585 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:

1010 E AMENDED PROPOSED FIRST FLOOR PLAN
1100 E AMENDED PROPOSED NORTH AND SOUTH ELEVATIONS
BJH 01/02 TREE CONSTRAINTS PLAN
BJH 03/04 TREE PROTECTION PLAN
ARBORICULTURAL METHOD STATEMENT DATED SEPTEMBER 2022
REFERENCE 1267.bjh.Sept22
0100 D AMENDED LOCATION AND BLOCK PLAN
1000 D AMENDED PROPOSED GROUND FLOOR PLAN

1110 D AMENDED PROPOSED EAST AND WEST ELEVATIONS
FLOOD RISK ASSESSMENT 22.07.2022
DESIGN & ACCESS STATEMENT UPLOADED 25 Jul 2022
Materials document uploaded on the 19.10.2022

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 / details, 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 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, prior to first occupation of the extension hereby permitted the ensuite and wardrobe windows sited in the extension in the first floor on the rear elevation facing north (within the western extension) shall be fitted with, to a height of no less than 1.7m above finished floor level, 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.

- 5 The proposed development shall be constructed and completed in full adherence to the Arboricultural Method Statement by Bernie Harveson Ref: 1267.bjh. dated September 22 and Tree Protection Plan BJH 03/04 Bernie Harveson dated September 2022. Any variations to the details of the documents and plans must only be undertaken after the proposed variations have been agreed in writing by the Local Planning Authority.

Reason: To protect existing trees in the interests of amenity and to comply with policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 The landscaping works shown on the approved plans ref. 0100 D AMENDED LOCATION AND BLOCK PLAN shall be carried out in accordance with the approved details and in accordance with any timing / phasing arrangements approved or within the first planting season following first use of the extensions hereby permitted, whichever is the sooner. Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally approved.

Reason: To ensure that the landscape scheme is completed in the interests of the appearance of development and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.