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Site Address: 16 Southleigh Road, Havant, PO9 2RS  
Proposal: Convert existing single storey side extension to two storey side extension, extensions to the front elevation , a balcony to the rear with an external staircase and alterations to the boundary treatment.  
Application Type: Full Planning Permission  
Application No: APP/22/00673                      Expiry Date: 10/10/2022  
Applicant: Iroro  
Agent: Mr Bund                      Case Officer: Selina Donophy  
            ArkiPlan Architectural Ltd  
Ward: St Faiths

Recommendation: **GRANT PERMISSION**

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## **1     Site Description**

This application site comprises a two storey, semi-detached dwellinghouse located on the east side of Southleigh Road, Havant. This property has an L shaped design with a pitched roof and elevations in pink render. To the side is a pitched roof garage which is linked to the main dwelling at single storey level. This section of the house is set back from the road with a section of driveway separating this from the road . Directly to the east of the site is the tennis club and to the south is a Grade II listed building.

## **2     Planning History**

APP/12/00189 - Crown thin 1No. Oak tree (T1) by 20%, crown lift to 2.5m subject to TPO 1738. , PERM,05/04/2012  
APP/16/00238 - Construction of new timber framed building for garage, store and home office., PERM,29/04/2016

## **3     Proposal**

Convert existing single storey side extension to two storey side extension, extensions to the front elevation , a balcony to the rear with an external staircase and alterations to the boundary treatment.

## **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)

DM13 (Car and Cycle Parking on Residential Development)

### Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)  
DM20 (Historic Assets)

Listed Building Grade: Adjacent Grade II listed building  
Conservation Area: Not applicable.

## **5 Statutory and Non Statutory Consultations**

### **Conservation Officer**

I think that given the distances between the two properties, even with the increased scale, mass and bulk, I'm comfortable that it won't be harmful on the setting of the listed building.

### **Councillor Imogen Payter**

No comment received

### **Councillor Phil Munday - St Faiths**

No comment received

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

No comment received

### **Hampshire Highways**

#### *Initial Comments received*

Thank you for your consultation on the above planning application. The Highway Authority wish to make the following comments.

It is noted that the existing gates are not set back in accordance with Hampshire County Council's Standing Advice guidance. However, as the proposals are different to the existing further information is required before any comments can be made on the suitability.

Clarification is requested as to whether the gates are to be sliding or open inwards onto the property.

Vehicular visibility and pedestrian intervisibility splays must be submitted in accordance with Hampshire County Council Technical Guidance TG3, to ensure the proposals do not obstruct the achievable visibility. Further information can be found at the following link: TG3 - Stopping Sight Distances and Visibility Splays ([hants.gov.uk](https://hants.gov.uk))

Additionally, the applicant should confirm how they intend to access the property considering the submitted plans seem to lead to the relocation of the existing access. If a new access is proposed, it is recommended to the applicant that they should be made aware that subject to any planning permission being granted by the Local Planning Authority, a subsequent agreement will need to be granted by HCC as Highway Authority to undertake the drop kerb works on the Highway. Details of this procedure can be found via the following link: [Apply for a vehicular access | Hampshire County Council \(hants.gov.uk\)](#).

It is important to note that if there are any minor utility diversions that are required to facilitate the dropped kerb then additional costs may arise in addition to the initial application fee. The applicant should also be aware that if an existing access is to be closed, a full height kerb should be reinstalled.

Having regard to the above, the Highway Authority require the further information requested before a formal recommendation can be made.

*Interim comments following receipt of additional information*

Thank you for your reconsultation on the above planning application. The Highway Authority wish to make the following comments.

The applicant has now confirmed that the gates are to be sliding. This is acceptable.

As per our previous response dated 10th October 2022, Vehicular visibility and pedestrian intervisibility splays must be submitted in accordance with Hampshire County Council Technical Guidance TG3, to ensure the proposals do not obstruct the achievable visibility. Further information can be found at the following link: TG3 - Stopping Sight Distances and Visibility Splays ([hants.gov.uk](https://hants.gov.uk))

It was also requested that the applicant confirms whether a new access is proposed to access the property. If a new access is proposed the full length of the new dropped kerb should be provided.

Having regard to the above the Highway Authority require the further information above before a formal recommendation can be made

*Final comments following receipt of further information*

Thank you for your reconsultation on the above planning application. The Highway Authority wish to make the following comments.

The applicant has now confirmed that the vehicular access is as per the existing arrangements.

Vehicular visibility splays and pedestrian intervisibility splays have now been provided as shown in drawing 22-1315 D01 Rev 01. Whilst splays have not quite been drawn in accordance with HCC TG3 guidance, the Highway Authority are satisfied that appropriate visibility can be achieved from this access.

Having regard to the above, the Highway Authority provide no objections to this planning 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: 6

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

| Comment                                                                                                                   | Officer Comment                                             |
|---------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|
| We, the residents of 14 Southleigh Road, the attached property, have a number of objections to the proposal as it stands. |                                                             |
| 1/ We have substantial concerns about losing natural light to our property. We are concerned that the proposed            | Please see 'Planning Considerations' section of the report. |

raising of the current single storey rear elevations to two storey's is so close to our property that it would have the effect of obstructing daylight to some of the existing windows of our property and therefore fails the meet the 25 degree vertical angle test.

2/ The proposal to build a balcony to the rear of the property would certainly lead to the loss of privacy of the adjacent semi-detached property ; The proposed nature of this part of the development is at such a height and angle that the primary amenity area of our garden, a courtyard garden with seating, and our kitchen window would be severely overlooked from the balcony of the new development resulting in a serious invasion of our privacy. We believe that the proposed development is a direct contravention of your planning policies. The design of the proposed alterations does not afford adequate privacy for us or of adjacent residential properties, nor to the tennis club at the rear of the property, particularly with regard to their right to the quiet enjoyment of garden amenities. We would urge you to consider the responsibilities of the council under the Human Rights Act in particular Protocol 1, Article 1 which states that a person has the right to peaceful enjoyment of all their possessions which includes the home and other land. We believe that the proposed development would have a dominating impact on us and our right to the quiet enjoyment of our property. Article 8 of the Human Rights Act states that a person has the substantive right to respect for their private and family life.

3/ The proposed alterations includes raising the current single storey aspects of the existing property to a two storey aspect. This increases its proportions to the neighbouring/attached semi-detached property disproportionately and is out of keeping with the neighbouring/attached semi-detached property

Please see 'Planning Considerations' section of the report.

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| <p>4/ The proposed extension, by reason of its size and siting, represents an un-neighbourly form of development that would have an adverse impact on the amenity of neighbouring properties by reason of an overbearing effect.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <p>Please see 'Planning Considerations' section of the report.</p>                                                                                                                                       |
| <p>5/ The proposed dwelling incorporates an external porch to the front unlike any other neighbouring property. The scale and design of the proposal is entirely out of keeping.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <p>Please see 'Planning Considerations' section of the report.</p>                                                                                                                                       |
| <p>Despite the amendment to the the proposed balcony, the balcony itself will still overlook (Redacted text).</p> <p>Our objections to the initial proposal still stand, namely:-</p> <p>1/ We have substantial concerns about losing natural light to our property. We are concerned that the proposed raising of the current single storey rear elevations to two storey's is so close to our property that it would have the effect of obstructing daylight to some of the existing windows of our property and therefore fails the meet the 25 degree vertical angle test.</p> <p>2/ The proposal to build a balcony to the rear of the property would certainly lead to the loss of privacy of the adjacent semi-detached property ;</p> <p>The proposed nature of this part of the development is at such a height and angle that the primary amenity area (Redacted text) would be severely overlooked from the balcony of the new development resulting in a serious invasion of our privacy. We believe that the proposed development is a direct contravention of your planning policies. The design of the proposed alterations does not afford adequate privacy for us or of adjacent residential properies, nor to the tennis club at the rear of the property, particularly with regard to their right to the quiet enjoyment of garden amenities. We would urge you to consider the responsibilities of the</p> | <p>Please see 'Planning Considerations' section of the report.</p> <p>Please see 'Planning Considerations' section of the report.</p> <p>Please see 'Planning Considerations' section of the report.</p> |

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## **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) Impact on the listed building
- (iv) Effect on neighbouring properties
- (v) Highways
- (vi) 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.

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

7.3 This proposal has been revised following its initial submission with the width of the first floor extension reduced and the ridge set down in height following case officer concerns regarding mass and bulk and a non subservient appearance of the extended elements within the context of the host dwelling.

7.4 This proposal now comprises a first floor extension above the existing ground floor which would be set in from the side elevation of the garage by approximately 2.75 metres . The ridge height would be similar to that existing and would feature a hipped roof with a flat section at roof level. Towards the rear the ground floor steps back, therefore the first floor would now step out further towards the rear with a monopitched roof above. This space would create two bedrooms and an ensuite bathroom - the southern bedroom would step out on to a balcony to the rear . The balcony would be supported by posts and would have a depth of approximately 1 metre , an external spiral staircase would provide access from the outside with screening to the side. The balcony would be accessed internally via a set of doors which would have a side window and this room would have rooflights in the roof above. A juliet balcony is also proposed to the rear elevation serving bedroom 2 . Two new windows would be added to the front elevation at first floor level serving the landing area.

- 7.5 Other alterations include internal changes such as the movement of the stairwell , changing bedroom 3 to become an office and other internal reconfigurations at ground floor level with bi-fold doors fitted to the rear elevation at ground floor . A front porch is also proposed which would have a height of approximately 3 metres and would be supported by posts. A new front boundary treatment is also proposed (it is noted work has already begun on this) . This would include a wall with posts , a sliding gate and pedestrian gate . The wall would have a height of approximately 1 metres, the posts would be 1.8 metres and there would be metal balustrading above the wall to match the post height. The sliding gate would be approximately 3.7 metres wide.
- 7.6 Whilst this proposal would not significantly increase the ground floor footprint of the property, it is considered the first floor extensions would add significant bulk to the appearance of the dwelling. The property also forms a pair with no 14 and the first floor of no 16 would appear larger with the first floor extension. Despite this, it is also noted the building line would be set back from the roof and therefore would appear more subtle and subservient in appearance . The ridge would continue to lie at a set down height from the main roof and materials would match existing which would be in keeping with the host dwelling. The front boundary treatment proposed would have a large total height with the railing however this would be set above a low boundary wall at 1 metre height which is not much different than the wall there previously . The railing would allow for views through and there are other examples of higher boundary front treatments in the immediate area . With all elements of the proposal considered, the changes are not deemed to be harmful to the streetscene of Southleigh Road on balance, or the character of the host dwelling . The balcony to the rear and alterations would be visible from the tennis club to the rear however the changes are not deemed to result in a harmful appearance from the public domain.
- 7.7 The design and appearance of the proposal is therefore 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) Impact on the listed building .

- 7.8 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Planning Authorities to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. The site is adjacent to an important grade II listed designated heritage asset. The NPPF requires the consideration of any harm to a heritage asset to be weighed against the public benefits of the proposal.
- 7.9 In this regard, to the south of the application site is no 10 Southleigh Road which is a Grade II listed building . There is screening from trees and foliage located along the shared boundary however due to the adjacent location of the listed building , Havant's Heritage Officer has been consulted on this proposal. The Heritage Officer has confirmed the proposals would not be harmful to the setting of the listed building due to the separation distance between the properties, and on this basis it is considered that the setting of the listed building would continue to be preserved following development.

(iv) Effect on neighbouring properties

- 7.10 To the north of the application site is the attached property, no 14 Southleigh Road. This property has been extended to the side and has the main garden located to the

north of the main house and a yard/patio area adjacent with the shared boundary with no 16. Set off from the boundary as part of the extension is a window which faces south which serves an open plan office / living space. The impact of the proposed first floor extension on this window has been considered in detail. The extension would be sited approximately 4.5 metres off the boundary with the window approximately 3 metres set back from the boundary - this would come close to the 25 degree infringement on this window in terms of impact on light, as referred to in the representations received. Whilst this may be the case, this window is not the main window serving this room, there are also doors to the side and a window to the front elevation. As a result, whilst it is appreciated that the extension would result in some impact on the amount of light received by this window, this is not considered to be an unacceptable level of loss of light to this room, taking into account the other windows that are in existence, and would not justify a refusal on this basis.

- 7.11 The balcony proposed to the rear would (following amendments to the plans) feature screening to the north side which would screen anyone using the upper stairs or standing on the balcony from view. The screen would have a height of 1.7 metres above the balcony floor which is the standard height accepted by the council for screening. Due to the screening, views would not be possible down into the private amenity areas at no 14; views would, however be directed straight down the rear garden towards the tennis club. The extension would not infringe upon the 45 degree angle when taken from the mid point of the rear doors at no 14. The extension would be set away from the shared boundary and coupled with its limited depth the extension is not deemed to result in an overbearing impact to the rear windows or patio area at no 14. The juliet balcony would not step out and therefore would not offer views down into the private amenity spaces at no 14.
- 7.12 To the north east of the site is the rear/side of no 6 Woodpecker Close. The screening from the balcony would limit views down towards the rear garden and private amenity spaces of no 6 with views directed down towards the tennis courts to the rear.
- 7.13 To the rear of the site is the tennis club. There would be no residential private spaces included in the tennis club curtilage to be impacted by this proposal.
- 7.14 To the south is the Grade II listed building, no 10 Southleigh Road. There would be screening to this side of the balcony also which would block views down towards the garden of no 10. The properties are separated by a large gap and therefore no overshadowing or overbearing impact on this property has been identified.
- 7.15 On the opposite side of the road are nos 1a Berkeley Square and 15 Southleigh Road - there would be over 30 metres separation distance between these properties which would mitigate against any potential overlooking. No harm to the amenity of these properties has been identified.
- 7.16 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).
- 7.17 It is noted that representations received make reference to the Human Rights Act, and Articles 1 and 8 in particular - the right of peaceful enjoyment of property, and respect for the private and family life, home and correspondence. These rights apply both to the applicant and also neighbouring properties, and it is legitimate for a local planning

authority to interfere with one or another party's rights where it is in the interest of either the wider community or to protect other people's rights.

- 7.18 In this case, the proposals have been amended from their original form in order to limit the impact of the development on adjoining properties following representations received. Having regard to the analysis set out above, it is now considered that the amended proposals satisfactorily address amenity impacts in a manner which respects the Article 1 and 8 rights referred to of the affected properties.

(v) Highways

- 7.19 This proposal would include changes to the front boundary treatment with the addition of the sliding front gate. The applicant has supplied a visibility splay plan to show safe access and egress would be possible. As the gate would slide, it would not open on to the pavement/road. The Highways Officer has confirmed they have no objections to this proposal.

(vi) Parking

- 7.20 The proposal would result in a total of 3 bedrooms - two parking spaces could be accommodated on the front driveway which would meet the parking allocation required.

## 8 Conclusion

- 8.1 The scale, siting and design of the proposal would have limited and acceptable impact on the street scene and the neighbouring properties. It would preserve the setting of the adjacent listed building, and provide acceptable highway design and car parking provision. The proposal 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/22/00673 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:

|                   |            |                                  |
|-------------------|------------|----------------------------------|
| 22-1315           | D01 REV 01 | AMENDED VISIBILITY SPLAY DETAILS |
| Uploaded 02/12/22 |            |                                  |
| 22-1315           | D08 REV 01 | AMENDED PROPOSED GATE            |
| Uploaded 06/01/23 |            |                                  |
| 22-1315           | D07 REV 01 | AMENDED PROPOSED ELEVATIONS      |
| Uploaded 06/01/23 |            |                                  |

|                   |            |                                 |
|-------------------|------------|---------------------------------|
| 22-1315           | D06 REV 01 | AMENDED PROPOSED ROOF PLAN      |
| Uploaded 06/01/23 |            |                                 |
| 22-1315           | D05 REV 01 | AMENDED PROPOSED FLOOR PLANS    |
| Uploaded 06/01/23 |            |                                 |
| 22-1315           | D04 REV 01 | AMENDED EXISTING ELEVATIONS     |
| Uploaded 06/01/23 |            |                                 |
| 22-1315           | D01 REV 01 | AMENDED LOCATION AND BLOCK PLAN |
| Uploaded 06/01/23 |            |                                 |

**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 Prior to the use of the balcony hereby approved commencing the approved screening to the north and south elevations shall be erected in the approved position and height as shown on drawing ' Proposed elevations' and shall be obscure glazed to a degree of obscuration no less than Level 4 of the Pilkington Texture Glass scale (or equivalent) and thereafter retained and maintained in that position.

**Reason:** In the interests of the amenities of the occupiers of the neighbouring properties , Nos 14 Southleigh Road , 10 Southeigh Road and 6 Woodpecker Close and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework