
Site Address:	22 Belmont Grove, Havant, PO9 3PU		
Proposal:	Erection of detached outbuilding along the rear boundary.		
Application Type:	Full Planning Permission		
Application No:	APP/22/00538	Expiry Date:	20/07/2022
Applicant:	Mr Barton		
Agent:	Mr Potter	Case Officer:	Lewis Ford
	James Potter Associates		
Ward:	Bedhampton		

Recommendation: **GRANT PERMISSION**

1 Site Description

The application site is 22 Belmont Grove, Havant, PO9 3PU.

The locality is predominantly residential in nature although the site is close to a parade of shops and the Former Belmont Public House (PH) to the south-east. The site, itself, includes a 1950s, 2.5-storey, semi-detached dwellinghouse which is located on the northern side of Belmont Grove, close to the junction with Norman Way. The dwellinghouse comprises red brick walls and a tiled gable roof, along with brown hanging tiles on its first-floor front elevation. The dwellinghouse is currently being extended to the front, side, and rear under Planning Permission ref. APP/20/00185 and so now includes flat and mono-pitched roof elements. In taking into account these additions, the rear garden still has a sufficient depth and width of approximately 20m and 9m respectively, and is predominantly laid to lawn. Finally, it is understood that the existing hip-to-gable roof extension and rear dormer have been delivered under permitted development rights (PDR).

2 Planning History

HWU/00275 – PERM in May 1949 for the erection of 206no. dwellinghouses on the north side of the Portsmouth-Havant Road.

HWU/03220 – PERM in Oct 1954 for erection 5no. detached houses, 22no. semi-detached houses, and garages, at Belmont Grove, Queen Anne's Drive and Parkside.

APP/20/00185 – PERM in May 2020 for single storey rear, side, and front extension

3 Proposal

Erection of detached outbuilding along the rear boundary.

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

CS16 (High Quality Design)
CS17 (Concentration and Distribution of Development within the Urban Areas)

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)
AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements)

Emsworth Neighbourhood Plan Post Examination Version 2020

Not applicable.

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Councillor A Fairhurst - Bedhampton

No comment.

Councillor D Guest - Bedhampton

No comment.

Councillor M Inkster - Bedhampton

No comment.

Portsmouth Water Company

The Portsmouth Water Catchment Management Team has reviewed this application from a groundwater quality protection perspective and has no subsequent adverse comments to make. This is due to the development's small nature and location within SPZ1c of the groundwater catchment.

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: 4

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
I am objecting to this application on the following grounds: Design, appearance, and layout; and effect on daylight, privacy, and outlook; and noise, smell, and fumes. I would also bring to your attention that the main construction materials are not clear in the application (only the finishes); however, the applicant says it will be timber. In detail: (1) The height is 4 metres which is unnecessarily high. It will raise to 1.4 metres above the existing fence. My property only has a narrow drive (2.9m) between the boundary fence and the kitchen window and glazed door. This will, therefore, block light to my kitchen and dominate my driveway. (2) The plan shows the building about 50cm from the boundary fence. This exacerbates the blocking of light to my kitchen and driveway and contributes to it dominating my driveway (it would also prevent adequate access to the proposed building for maintenance). (3) The design of the building makes it usable as an additional bedroom as it includes a toilet and a shower. This indicates that the building could be occupied 24 hours a day, rather than the occasional use of a garden shed or summerhouse. Sound insulation does not seem to have been considered. There is a considerable risk of noise nuisance to my house from a poorly insulation domestic bedroom so close. The applicant may not plan to use it as a bedroom, but future house occupants might. If the building is used as a gym, there is potential for similar noise nuisance issues. Removal of the shower and toilet would make this scenario less likely.	The three detailed points have been addressed individually below: (1) The proposed eaves height would be approximately 2.5m above ground level, and the outbuilding would include an off-centred pitched roof with a maximum ridge height of approximately 4m. As the height of the existing boundary fence is 2.6m, only the proposed ridge would extend 1.4m above the existing boundary fence. In response to the objection, the Agent was asked to provide further information in relation to overshadowing – see Drg No 20014-PL-204. Given the separation distance and the additional plan submitted, it is considered that any potential overshadowing would not be adverse and, therefore, would not warrant refusal in this instance. (2) An Applicant can build up to their boundary. The point raised about loss of light has been addressed above. (3) The use of the outbuilding as a gym, summer house and garden store are incidental to the enjoyment of the dwellinghouse and can be delivered under permitted development rights (PDR). In terms of the proposed shower room, case law suggests that a shower room (with toilet) can be a common, and an acceptable, supplementary addition to an incidental use such as a gym. As for the point about the potential to use the outbuilding as primary living accommodation, this would be prevented by the inclusion of Planning Condition No.4. Finally, the proposed incidental uses are unlikely to produce noise beyond that reasonably expected in a residential area.

7 Planning Considerations

7.1 Having due regard to the policies in the development plan, it is considered that the main issues arising from this application are:

- (i) Principle of Development
- (ii) Impact on the Character of the Area & Appropriateness of Design
- (iii) Impact on Neighbouring Properties
- (iv) Impact on the Source Protection Zone (SPZ)

(i) Principle of Development

7.2 The application site is located within the defined urban area as set out in Policies CS17 and AL2. As such, development is considered acceptable in principle subject to development management criteria.

(ii) Impact on the Character of the Area & Appropriateness of Design

7.3 The proposed development would comprise the construction of an outbuilding on the northern boundary, in the rear garden, of the application site. The proposed outbuilding would comprise a depth and width of approximately 5.8m and 7.8m respectively. The proposed eaves height would be approximately 2.5m above ground level, and the outbuilding would include an off-centred pitched roof with a maximum ridge height of approximately 4m. The proposed outbuilding would also include a pitched timber pergola on the left side of its southern elevation. The pergola would comprise a width and maximum height of 2.9m and 3.8m respectively, and would extend beyond the southern elevation of the outbuilding by 3m towards the existing dwellinghouse. Finally, the proposed outbuilding would comprise rendered walls with an aluminium glazing system and elements of timber cladding on its front southern elevation. The proposed roof materials have not been confirmed.

7.4 The design and roof angle of the proposed outbuilding would broadly mirror that of the single storey rear extension which is currently being built out under Planning Permission ref. APP/20/00185. It is considered that the rear garden is of sufficient size to accommodate the proposed outbuilding. However, as the outbuilding would be visible from the streetscene along Norman Way, the final material specification – including colour, texture, and finish – will need to be agreed prior to construction. As such, Planning Condition No.3 has been included as agreed with the Agent.

7.5 Moreover, the design and mass of the proposed development would be acceptable in the context of the application site. However, to ensure that the proposed development would not result in an adverse impact on the visual amenity of the locality, Planning Condition No.3 has been included to ensure that the external materials (to be finalised) will meet the requirements of Policy CS16 in the Havant Borough Local Plan (Core Strategy) 2011.

(iii) Impact on Neighbouring Properties

- 7.6 The proposed outbuilding would be used for a gym, summerhouse, garden store and shower room. The first three uses are “incidental” to the enjoyment of the main dwellinghouse. In terms of the proposed shower room, case law suggests that a shower room (with toilet) can be a common, and an acceptable, supplementary addition to an incidental use. The above uses are, therefore, considered to be acceptable. However, in this instance, it is considered necessary and reasonable to include a planning condition to prevent the outbuilding from being used in the future for any non-incidental uses (i.e., commercial, and industrial process etc.) or as a separate unit of residential accommodation – see Planning Condition No.4. This is because of the size of the proposed outbuilding, the limited parking on site, and the proximity of neighbouring properties.
- 7.7 The proposed outbuilding would be approximately 0.5m from the northern rear, eastern side, and western side boundaries. The outbuilding would include 1no. roof light on its western roof slope, 1no. clear glazed window on its eastern side elevation (for the garden store), 1no. obscure glazed window on its western side elevation (for the shower room), and a floor-to-ceiling aluminium glazing system on its southern elevation facing towards the existing dwellinghouse. It is accepted that the proposed outbuilding would increase activity in the rear garden. However, given the separation distances and the existing boundary fence heights, it is not considered that the proposed development would lead to the overlooking and/or loss of privacy of neighbouring properties.
- 7.8 The proposed outbuilding received 1no. objection during the statutory consultation period. The objection raised concerns about the potential for the outbuilding to overshadow, and block light to, the southern side elevation of No.1 Norman Way. During the site visit, it was noted that the proposed outbuilding would be approximately 0.5m and 3.6m from the rear boundary and the southern side elevation of No.1 Norman Way respectively. In addition, it was noted that there is a slight level change between No.22 Belmont Grove and No.1 Norman Way, and that the standard 1.85m fencing along the northern rear boundary has been erected on a concrete base of 0.75m in height. This provides a total northern rear boundary height of approximately 2.6m above ground level at No.22 Belmont Grove (the site). In recognition that the proposed eaves height would be lower than the existing boundary height, the proposed outbuilding would only extend beyond the existing northern rear boundary by approximately 1.4m at its maximum ridge height. Notwithstanding the above, in response to the objection, the Agent submitted an additional plan – see Drg No 20014-PL-204 – to show that the proposed development is unlikely to adversely impact No.1 Norman Way in terms of overshadowing and loss of light.
- 7.9 Consequently, it is considered that the proposed outbuilding, and its incidental uses, would have an acceptable impact on neighbouring properties. As such, the proposed outbuilding would not be contrary to Policy CS16 in the Havant Borough Local Plan (Core Strategy) 2011.

(iv) Impact on the Source Protection Zone (SPZ)

- 7.10 The site is entirely within the Source Protection Zone (SPZ) 1c in the Portsmouth Water Ground Catchment. The Portsmouth Water Catchment Management Team has reviewed the proposal and has no subsequent adverse comments to make due to the small-scale nature of the proposed development. As such, it is considered that the proposed development would not have an adverse impact on the Source Protection Zone (SPZ).

8 Conclusion

- 8.1 The scale, siting and design of the proposed development would have a limited and an acceptable impact on the character of the area and neighbouring properties. The proposed development is, therefore, considered to be appropriate and is recommended for approval subject to appropriate planning conditions.
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9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/22/00538 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:

Drg No: 20014-PL-201 – Location & Block Plan

Drg No: 20014-PL-202 – Proposed Plans & Elevations

Drg No: 20014-PL-203 – Indicative Garden Scenes

Drg No: 20014-PL-204 – Skylight Indicator Rules

Reason: To ensure provision of a satisfactory development.

- 3 Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples and / or a full specification of the materials to be used externally on the outbuilding have been submitted to, and approved in writing by, the Local Planning Authority. Such details shall include the type, colour, and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure the appearance of the development is satisfactory and having due regard to Policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 4 The outbuilding hereby permitted shall be used only for purposes incidental to the enjoyment of the dwellinghouse and shall not be used as a separate unit of residential accommodation.
Reason: In the interests of the amenity of the area and having due regard to Policies CS16, DM10 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.