
Site Address:	62 Ferndale, Waterloo, PO7 7PB		
Proposal:	Erection of first floor rear extension.		
Application Type:	Full Planning Permission		
Application No:	APP/22/00540	Expiry Date:	20/07/2022
Applicant:	Mr Perkins		
Agent:	Mr Tutton	Case Officer:	Joseph Toole
	Robert Tutton Town Planning Consultants Ltd		
Ward:	Waterloo		

Recommendation: **REFUSE PERMISSION**

1 Site Description

- 1.1 The application site is located on the south-east side of Ferndale in a corner location on the north side of the junction with Stratford Road. The site is located within a well established and predominantly residential area which is characterised by dwellings of mixed types, designs and materials and has an established landscaped character with mature gardens. Whilst located in a potentially prominent corner position, the site benefits from reasonably significant levels of screening from existing landscaping, including trees, within Stratford Road although it is visible from the surrounding area.
- 1.2 The application dwelling is a relatively substantial detached dwelling and is constructed of timber cladding, white render with a grey slate roof. The side boundary of the dwelling to Stratford Road is enclosed by wooden panel fencing and outside of this is a verge with some mature trees. There is open vehicular access to the front. The adjoining development to the north east comprises another reasonably substantial detached dwelling (No.64) with side hipped roof and of broadly similar appearance to the application dwelling. Rear and joint side boundaries are wooden panel fencing. There is significant screening to the rear of the site.

2 Planning History

03/59537/001 - Demolish existing garage. Construct two storey side extension and single storey rear extension extend chimney to ridge end of roof extension., PERM,26/06/2003

04/59537/002 - Two storey side and rear extension., REF,02/02/2005

APP/19/00625 - First floor rear extension; alterations to external wall and roof finish; replacement of existing windows; raised deck to the rear and front boundary fence. , REF,11/10/2019

APP/20/00726 - First floor extension at rear to sit above previous ground floor extension. Changes to windows and roof tiles throughout. New rendered finish to front elevation and part of new rear extension, raised deck to the rear. New garden wall along main road.(Revised application)., PERM,23/10/2020

3 Proposal

The proposed development would involve the erection of a first floor rear extension over the existing flat roof on the ground floor to be used as a bedroom.

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)

Havant Borough Local Plan (Allocations) July 2014

Submission Version Havant Local Plan

Emsworth Neighbourhood Plan Post Examination Version 2020

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

5 Statutory and Non Statutory Consultations

Councillor Gwen Robinson

No Comment.

Councillor Mike Sceal

No Comment.

Councillor Peter Wade

No Comment.

Developer Services, Southern Water

Please see the attached extract from Southern Water records showing the approximate position of our existing foul sewer within the development site. The exact position of the public asset must be determined on site by the applicant in consultation with Southern Water.

Please note:

- The public foul sewer requires a clearance of 3 metres on either side of the public foul sewer to protect it from construction works and to allow for future maintenance access.

- No new development or tree planting should be carried out within 3 metres of the external edge of the public foul sewer without consent from Southern Water.

- No new soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public foul sewer.

- All existing infrastructure should be protected during the course of construction works.

Please refer to: southernwater.co.uk/media/3011/stand-off-distances.pdf

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.

Southern Water requires a formal application for any new connection to the public 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

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

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

Officer comment: *The works proposed in this case are at first floor level only and as such are not considered to impact upon the sewers in proximity to the site.*

Environment Agency

No Comment.

Hampshire Wildlife Trust, Beechcroft House

No Comment.

Natural England Government Team

No Comment.

Portsmouth Water Company

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

Royal Society for the Protection of Birds

No Comment.

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: 9

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
Previous objections on APP/20/00726 still valid	Noted
Impact on loss of daylight/sunlight	Please see Section 7.
Side windows not assessed within the Daylight and Sunlight Report	Within the updated Daylight and Sunlight Report these windows were assessed stating no harmful impact would occur
Deleterious to the outlook	Please see Section 7.
No change from previous refusals	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
- (ii) Appropriateness of design and impact on the character of the area
- (iii) Effect on neighbouring properties
- (iv) Parking
- (v) Drainage

(i) Principle of development

7.2 The application site is located within the defined urban area, where development is normally considered acceptable in principle subject to development management criteria.

- 7.3 There are considered to be three previous decisions of relevance to this case. Planning appeal APP/X1735/A/05/1177613 (application 04/59537/002) was dismissed in July 2005 for a two storey side and rear extension, as it was considered not to be sympathetic in terms of scale to its surroundings and would have a detrimental impact on the living conditions of adjacent residents.
- 7.4 More recently, Planning appeal APP/X1735/D/19/3240560 (application APP/19/00625) was dismissed in June 2020 for the provision of a full width rear first floor extension to the property, as it was considered to be harmful to the living conditions of the occupiers of No.64 Ferndale (next-door to the northeast).
- 7.5 Since that refusal a first floor rear extension has been approved at No.62 under application APP/20/00726 and constructed. In maintaining a 4.1m gap from the side elevation of the existing property, this proposal was considered to have addressed the reasons for refusal of APP/19/00625.

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

- 7.6 The proposed extension would have cream render with plain roof tiles to match the existing property. This is considered to be in keeping with the host dwellinghouse and character of the area.
- 7.7 The proposed works would be to the rear of the property and due to its position it is not considered to have a adverse impact on the character of the area.
- 7.8 When taken in isolation and in the context of the wider area, 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

- 7.9 The principal property affected by the proposed development is the adjacent neighbour to the north east, No.64 Ferndale. This dwelling features side windows and a door facing the shared boundary with No.62. On the north east side of the proposed extension facing No.64 Ferndale there would be no side windows, and therefore the development is not considered to cause overlooking. Due to the information provided from the Daylight and Sunlight Assessment the proposed works are also not considered to cause a harmful loss of light to the side windows and doors on the ground floor of No.64.
- 7.10 To the rear there would be a window serving the bedroom within the proposed extension facing out onto the rear garden. Whilst some form of overlooking would be created to No.64 it is considered to create views expected within a residential area and would create similar views to those already established on site. The proposed extension would be outside the 45 degree overshadowing zone to the rear first floor windows at No.64 according to the Daylight and Sunlight assessment submitted and therefore, it is not considered to cause a harmful loss of light.
- 7.11 In terms of the impact of the development on No.64 in other respects, Planning appeal APP/X1735/D/19/3240560 (application APP/19/00625) was dismissed by the Planning Inspector for the following reasons, taken from Paragraphs 5, 6 and 8 of the decision letter dated 26 June 2020:

".....the first-floor extension would be an extremely large and elevated addition to the appeal dwelling and would be clearly visible in close proximity in the outlook from the rear garden of No 64. Given its large overall size and close relationship to No 64 the first-floor addition would be an extremely dominant feature. It would have an overbearing impact upon the outdoor living environment of the occupiers of this property."

"The rear garden is an outdoor living space in which the occupiers of No 64 are likely to spend a reasonable amount of their time, particularly during those months of clement weather. The proposed extension would be harmful to the occupiers of this property as it would diminish the outlook from the rear outdoor living environment, an outlook that the existing adjoining occupiers should reasonably expect to enjoy. Whilst there still would be outlook from the rear garden toward Stratford Road, the first floor extension would loom clearly as a large dominant feature when viewed in the direction of Stratford Road."

"For the above reasons, I conclude that the proposed development would be harmful to the living conditions of the occupiers of 64 Ferndale. The proposal would, therefore, conflict with Policy CS16 of the Havant Borough Core Strategy Local Development Framework 2011 and the Havant Borough Design Guide Supplementary Planning Document 2011. This policy and SPD require, amongst other matters, development not to cause unacceptable harm to the amenity of neighbours through outlook. Furthermore, the proposal would not achieve a high standard of amenity as required by the National Planning Policy Framework (the Framework)."

7.12 Since that dismissal, Planning Permission APP/20/00726 has given consent for a first floor extension at the rear of No.62 to sit above part of the previous ground floor extension, which has been implemented. That extension has been set away from the northern elevation of No.62 by approximately 4.1m, thus retaining a significant degree of space between the two storey bulk of the extension and the neighbouring property at No.64. The current proposal would infill that retained space with an extended pitched and hipped roof running from the existing extension. In doing so the resultant extension will emulate that refused under APP/19/00625 in terms of its proximity to the shared boundary with No.64, and whilst the removal of the projecting element from the proposals dismissed on appeal under APP/19/00625 reduces the bulk of the proposal to some degree, this is to some extent counteracted by the roof structure which will add additional bulk to the extension.

7.13 Taken together, it is considered that the current proposal, when considered in conjunction with what has already been constructed to the rear of No.62, will have a dominant and overbearing impact upon the outdoor living environment of the occupiers of No.64, and furthermore, the extension is considered to diminish the outlook from the rear outdoor living environment of No.64. Overall, the proposal is not considered to have materially addressed the concerns which led to the previous appeal dismissal in terms of the impact of new development upon the amenities of occupiers of No.64.

7.14 Discussions have taken place with the applicant's agent regarding the potential for a smaller extension set further away from the shared boundary with No.64 to reduce its dominance and preserve a separation distance between the properties. The size of the extension was not agreed, however, and the applicant's agent has requested for the decision to be made on the originally submitted plans.

7.15 Consequently, it is considered that the proposal would appear overbearing and would unacceptably harm the outlook of the occupiers at No.64 Ferndale, contrary to Policy CS16 of the HBLP (Core Strategy), the Havant Borough Design Guide SPD and the NPPF.

(iv) Parking

- 7.15 The proposed extension would increase the number of bedrooms from 3 to 4 therefore 3 car parking spaces are required on site according to the Havant Borough Parking Standards SPD. There is sufficient car parking to accommodate this.

(v) Drainage

- 7.16 Southern Water were consulted on the application raising no objection.

- 7.17 Portsmouth Water commented on the application raising no objection.

8 Conclusion

- 8.1 It is considered that the current proposal, when considered in conjunction with what has already been constructed to the rear of No.62, will have a dominant and overbearing impact upon the outdoor living environment of the occupiers of No.64, and furthermore, the extension is considered to diminish the outlook from the rear outdoor living environment of No.64. Overall, the proposal is not considered to have materially addressed the concerns which led to the previous appeal dismissal in terms of the impact of new development upon the amenities of occupiers of No.64, and is therefore recommended for refusal.

9 RECOMMENDATION:

That the Head of Planning be authorised to **REFUSE PERMISSION** for application APP/22/00540 for the following reason:

- 1 The proposed first floor extension, when considered in conjunction with existing extensions to the property, is considered to be overbearing and would unacceptably harm the outlook from the rear outdoor living environment of No.64 Ferndale, contrary to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, the Havant Borough Design Guide Supplementary Planning Document 2011 and the National Planning Policy Framework.