
Site Address: 25 New Brighton Road, Emsworth, PO10 7PR
Proposal:

First-floor rear extension; single storey rear extension; raised platform and works to provide disabled access.

Application Type: Full Planning Permission
Application No: APP/22/00309 Expiry Date: 01/07/2022
Applicant: Mrs N Hearsey
Agent: Stephen Bromley Associates Case Officer: Lewis Ford
Ward: Emsworth

Recommendation: **GRANT PERMISSION**

1 Site Description

The application site is No.25 New Brighton Road, Emsworth, PO10 7PR.

The site is in Residential Character Area 3 of the Emsworth Neighbourhood Plan. The Area has more recent origin compared to other parts of Emsworth, and is generally characterised by bungalows, semi-detached and detached dwellings of similar styles and ages. In this instance, the site includes a 2.5 storey, semi-detached, 2-bedroomed dwellinghouse comprising red brick walls and a slate hipped roof.

The dwellinghouse is on sloping ground from east-to-west and is screened around its curtilage by a 2m high boundary fence. To the front of the dwellinghouse, the ground is hard surfaced for the parking of approximately 3no. vehicles, whilst to the rear of the dwellinghouse the amenity space is generous with a depth of more than 55m. Finally, the dwellinghouse includes an existing single-storey rear extension and decking which was approved under Planning Permission reference APP/16/00124.

2 Planning History

91/56746 – PERM in Dec 1991 for formation of vehicular access.
APP/16/00124 – PERM in Apr 2016 for single storey rear extension and decking.
APP/17/00316 – PERM in Apr 2017 for TPO works.
APP/17/00606 – PERM in Aug 2017 for two-storey rear extension with pearl cladding and decking

3 Proposal

First-floor rear extension; single storey rear extension; raised platform and works to provide disabled access.

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)
- CS15 (Flood and Coastal Erosion)
- CS16 (High Quality Design)
- CS17 (Concentration and Distribution of Development within the Urban Areas)
- DM8 (Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

- DM25 (Managing Flood Risk in Emsworth)
- AL1 (Presumption in Favour of Sustainable Development)
- AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements)

Emsworth Neighbourhood Plan Post Examination Version 2020

- ENP_D1 (General Design Policy)
- ENP_D2 (Height, Mass & Materials)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist

06 June 2022

There are several statutorily protected trees to the front of the property and on neighbouring land that are likely to be affected by the proposals. On that basis, if you are minded to permit this application, it would be recommended that a suitably worded condition is imposed requiring the applicant to provide further information for our consideration prior to works commencing onsite. This should be in the form of an Arboricultural Impact Assessment (AIA) and Method Statement in accordance with BS5837:2010.

05 July 2022

There is no evidence to suggest the impact on trees has been properly considered. I accept that scheme is achievable in Arboricultural terms provided that protection measures are put in place during the build. However, they will need to specify the protection measures. I'd suggest they commission an Arboricultural consultant who would be able to carry out the necessary site investigations and put together the relevant documents in accordance with BS5837:2012. My previous comments still stand:

There are several statutorily protected trees to the front of the property and on neighbouring land that are likely to be affected by the proposals. On that basis, it is recommended that the applicant is asked to provide further information in support of the proposals for our consideration prior to a decision being made on this application. This should be in the form of an Arboricultural Impact Assessment (AIA) and Method Statement in accordance with BS5837:2012.

Officer comment: *The above comments can be addressed through a pre-commencement condition rather than requesting that an AIA and Method Statement is submitted prior to a decision being made. The reasons being are that; the proposed development is to the rear of the property whilst the protected trees are at the front of the property; the proposed development is achievable without impacting the protected trees (subject to a technical solution being agreed); and the need for disabled access means that a decision needs to be reached without unnecessary and/or unreasonable delay.*

Councillor J Thain-Smith

No comment.

Councillor L Bowerman

No comment.

Councillor R Kennett

No comment.

Southern Gas Network

11 May 2022

SGN ref: 25595940

There are high pressure pipelines in the vicinity of your proposed works are. SGN formally object to this planning application until such time as a detail consultation has taken place.

For your safety, it is essential that no work or crossing of this high pressure pipeline is carried out until a detailed consultation has taken place.

This response is for initial / scoping out work only. This response does not give permission to undertake any work. When consultation has taken place, your planning has been approved and works on site are due to start, another request for information and updated map must be made via our online system as a “planned works” enquiry.

Please find an extract from our mains records for your search area, any SGN assets are described in the map legend. On some occasions maps may be sent that do not contained any gas pipes, this is due to the location of the proposed work area and although there are no pipelines in the immediate vicinity, consultation is still required to ensure that your development has no other impact on our pipelines. SGN Personnel must confirm the actual location of all pipelines prior to commencement of any work. Please note, there may also be additional gas pipes (low pressure, medium pressure, etc.) shown on the mains record.

This mains record only show the pipes owned by SGN in our role as a Licensed Gas Transporter (GT). Please note that privately owned gas pipes or pipes owned by other GTs may be present in this area and information regarding those pipes needs to be requested from the owners. If we know of any other pipes in the area, we will note them on the plans as a shaded area and/or a series of Xs.

The information shown on this plan is given without obligation or warranty and the accuracy cannot be guaranteed. Service pipes, valves, siphons, stub connections etc. are not shown but their presence should be anticipated. Your attention is drawn to the information and disclaimer on these plans.

It must be stressed that both direct and consequential damage to gas plant can be dangerous for your employees and the general public and repairs to any such damage will incur a charge to the occupant or the organisation carrying out work on their behalf.

To contact the Pipelines department directly to discuss a consultation for your proposed works, please email maintenance.land.owner.enquiries@sgn.co.uk in our southern area or plantprotectionandpipelinesnorth@sgn.co.uk in Scotland, quoting the LSBUD reference number.

05 July 2022

SGN ref: TPES/47681

LSBUD ref: 25595940

Although SGN has a high pressure gas pipeline in the vicinity, the safety and integrity of our assets will not be affected by the proposal. However, should the proposal change then please contact us immediately and we will re-assess.

The pipeline is of prime importance to the gas supplies of this area. It is essential that you comply with the restrictions detailed below and, in the document, SGN/WI/SW2 in order to protect our plant and equipment and for the safety of operatives. A SGN representative must be contacted before any works commence.

- (1) No mechanical excavation is allowed within 3 metres either side of the pipeline.
- (2) No plant or storage of equipment shall be made within any easement strip.
- (3) If any metallic pipes or cables are being laid in proximity to gas pipelines, then interference testing will be required, and the cost of which to be borne by the promoter of the works; a minimum clearance of 600mm is required.
- (4) All precautions stated in publication SGN/WI/SW/2 (Safe Working in the Vicinity of High Pressure Gas Pipelines) shall be fully complied with in all respects. Acceptance of SGN/WI/SW/2 shall be acknowledged by the responsible site person signing and returning the form Appendix A (back page) to the SGN representative contact in (7).
- (5) No thrust boring shall take place within 3 metres of the pipeline.
- (6) All planting within the easement strip should comply with "Notes for Guidance on Tree Proximity".
- (7) Before commencing work on site, you must contact our Pipeline Maintenance Section on the number above at least seven days before work commences. A Southern Gas Networks representative will then contact you to arrange to visit site. Details of working near to high-pressure gas pipelines can then be discussed.
- (8) Pipeline sections that are planned and agreed by SGN to be permanently covered (i.e., by rod surface) will require a coating survey. SGN will repair any indicated coating defects free of charge. The survey costs will be borne by the promoter of the works. Prior to any surface cover cathodic protection coupons and reference cells will require installation at no cost to SGN.
- (9) This pipeline is cathodically protected and, as such, has test cables located in test posts, were these to be lost through this would we would look to you for remedial action at no cost to SGN.
- (10) Intrusive construction methods will require an agreed method statement prior to work starting.

(11) Any extended period of SGN site supervision may incur charge to you. These will be charged based on visiting times, materials, and occurrences. You will be informed when these come into effect and be invoiced direct.

(12) Any piling or boreholes within 15 metres of the pipeline may require vibration monitoring. No piling or bore holing must take place within 3 metres of the pipeline.

Please ensure these conditions, together with any relevant drawings are forwarded for use by the construction personnel of the works.

Please let us know if SGN can supply technical or other information that may be of assistance in the determination of the application.

Officer comment: *The above has been included as an Informative.*

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: 0

This planning application (ref. APP/22/00309) was originally consulted on between 11 May and 01 June 2022. During this time, a separate planning application for a similar two-storey and single storey rear extension at the adjoining neighbouring property to the south – No.23 New Brighton Road – was being consulted on under reference APP/22/00327. In response, the Applicant / Agent of this planning application (ref. APP/22/00309) submitted revised plans to bring this proposal level with that being proposed at No.23; this amended scheme was consulted on between 19 and 26 July 2022.

A site meeting took place on 21 July 2022 between the Council and the Agents for Nos 23 and 25 New Brighton Road – references APP/22/00327 and APP/22/00309 respectively. The outcome was that both proposals would continue as separate planning applications.

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 Local Ecological Network (LEN)
- (v) Flood Issues
- (vi) Impact on Utilities

(i) Principle of Development

7.2 Planning Permission was granted on 14 August 2017 under reference APP/17/00606 for a two-storey rear extension to the “original” dwellinghouse. The permitted two-storey extension was never built out and the Planning Permission has now expired. However, the previous Planning Permission has established the principle of a two-storey rear extension at the site. In light of the above – and given that the site is located within the defined urban area as set out in Policies CS17 and AL2 – 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 rear elevation currently includes a single storey rear extension (ref. APP/16/00124) which expands the width of the rear elevation and has a depth of approximately 3.5m. The proposed development would comprise a first-floor rear extension to the existing single storey rear extension, along with an additional single storey rear extension and the relocation of the raised decking area. In summary, the proposed development, would include:

- (1) A two-storey rear element comprising a depth, width, and maximum height of approximately 3.5m, 5.8m, and 7m respectively; and
- (2) A single storey rear element comprising a depth, width, and maximum height of approximately 4.5m, 5.25m, and 3.55m respectively; and
- (3) A raised decking area comprising a depth, width, and a height of approximately 3m, 5.25m, and 0.9m respectively (along with a 1m balustrade / railing); and
- (4) Works to provide a disabled side access to the rear of the property

7.4 The proposed development would comprise a total depth of approximately 8m from the “original” rear wall of the existing dwellinghouse. As the land slopes from east-to-west, it is acknowledged that the works would appear to be in a higher position when viewed further west. However, it is considered that the proposed development would still be subservient to the existing dwellinghouse, and would be in keeping with the character of the area, as:

- (1) Nos 19 and 21 New Brighton Road have built long single storey extensions;
- (2) The proposed development would not extend past the existing side elevations;
- (3) The proposed development would continue the hipped roof design;
- (4) The proposed two-storey element would have a matching eaves height;
- (5) The proposed two-storey element would be set down from the ridge height; and
- (6) The existing rear garden has a large plot of more than 55m in depth

- 7.5 The Havant Borough Design Guide SPD explains that extensions should look to the existing dwellinghouse (and its neighbours) as the main reference points for appearance, materials, and detailing. The expired Planning Permission (August 2017) proposed pearl cladding along the rear elevation of the first-floor development, whilst this application originally proposed walls of a white k-rend scraped texture finish. After two site visits and discussions with both Agents about the two storey proposals at Nos 23 and 25 New Brighton Road (ref. APP/22/00327 and APP/22/00309 respectively), it was agreed that both two-storey proposals should include matching materials to remain in keeping with the existing semi-detached properties and the character of the area. As such, Planning Condition No.3 has been included to ensure that the proposed development is built out with materials which match (as closely as possible) with the existing semi-detached dwellinghouses.
- 7.6 Moreover, the appearance, design and mass of the proposed development is deemed to accord with the recommendations of the Havant Borough Design Guide SPD and, therefore, is considered to not be unacceptable nor overbearing in the context of the application site and its locality. Although the proposed development - in combination with the existing single-storey rear extension - would result in a large addition to the "original" dwellinghouse, it is considered on balance that the proposed development would not lead to demonstrable harm given the large plot size and other examples of additions and extensions in the locality. In considering all the above, the proposed development would not be contrary to Policy CS16 in the Havant Borough Local Plan (Core Strategy) 2011, nor Policies D1 and D2 in the Emsworth Neighbourhood Plan.

(iii) Impact on Neighbouring Properties

- 7.7 The Havant Borough Design Guide SPD explains that two-storey rear extensions should maintain a distance of at least:
- 2m from neighbouring side properties; and
8m from rear boundary walls; and
20m from neighbouring rear properties.
- 7.8 The proposed development would meet the latter two requirements given the large rear garden of more than 55m in depth. As for the former, the proposed development would be flush with its existing side elevations. In doing so, the proposed development would be level with No.23 to the south, whilst retaining a separation distance of approximately 1.94m from No.27 to the north. In light of the expired Planning Permission (ref. APP/17/00606), it is considered that the above is acceptable and would not warrant refusal.
- 7.9 The Design SPD also explains that rear extensions should have particular regard to neighbouring properties and should not cause any adverse effects, such as overlooking, loss of privacy, overshadowing nor loss of light. The expired Planning Permission (ref. APP/17/00606) included a two-storey rear extension with a depth of approximately 2.95m. However, this proposed development is slightly larger than the expired Planning Permission and, instead, proposes a two-storey rear extension with a depth of approximately 3.5m (i.e., 0.5m longer). Given the increase in size, it was considered necessary to request an overshadowing assessment to ascertain the potential impact on Nos 23 and 27 New Brighton Road.

7.10 No.23 New Brighton Road is the adjoining neighbouring property to the south. The proposed southern side elevation would not include any fenestration and so it is not considered that the proposed development would result in any overlooking or loss of privacy at No.23. As for potential overshadowing, it is not considered that the light level would be adversely impacted due to the sun rising in the east and setting in the west. Finally, the southern side boundary includes existing shrubbery and timber fencing of approximately 2m in height above ground level. As such, the proposed raised decking area would have a limited and an acceptable impact given the existing and sufficient screening.

7.11 No.27 New Brighton Road is the detached neighbouring property to the north and is set back from the existing single-storey rear elevation of No.25 by approximately 2.4m. The neighbouring property includes an existing rear conservatory which spans the entire width of the property and includes a polycarbonate roof. The Design Guide SPD explains that, to mitigate the extent / potential for overshadowing, any proposed extension should not result in the centre of the existing doors and windows at No.27 being within a combined plan and section **45-degree overshadowing zone**. In order to assess / determine the above, the SPD advises that:

A 45-degree angle/line should be drawn from the top corner of the proposed extension toward the neighbour's doors/windows; and

A 45-degree angle/line should be drawn back from the end of the proposed extension towards the neighbour's doors/windows.

7.12 The SPD explains that if the centre of the main doors/windows of No.27 lie on the extension of both 45-degree angles/lines (emphasis added), then the proposed extension is likely to cause a noticeable reduction in sky light received by No.27. However, in this instance, given the separation distance and the proposed hipped roof, the centre of No.27's doors/windows would not lie on the extension of both 45-degree angles/lines. Although it is recognised that the proposed development would lead to a degree of overshadowing and loss of light at No.27, it is considered that the extent of overshadowing would not result in a significant adverse impact and, therefore, would not warrant refusal in this instance. As for the potential for overlooking and loss of privacy, the proposed side door on the northern side elevation is not considered to lead to an adverse effect given the existing boundary screening.

7.13 The proposed development is unlikely to appear overbearing or lead to overlooking and loss of privacy. As for the potential for overshadowing and loss of light, it is considered on balance that the proposed development would not result in an unacceptable impact given the separation distances and proposed hipped roof. Consequently, it is considered that any resulting harm would not warrant a reason for refusing planning permission in this instance. As such, it is considered that the proposed development would not be contrary to Policy CS16 in the Havant Borough Local Plan (Core Strategy) 2011. Notwithstanding the above, it is noted that no formal letters of objection have been received in respect to the proposed development.

(iv) Impact on the Local Ecological Network (LEN)

- 7.14 The 11no. Austrian Pine (*Pinus nigra*) trees along the front boundaries of Nos 15 to 27 New Brighton Road are the subject of Tree Preservation Order (TPO) reference 1306. The Agent has submitted a Tree Statement explaining that:

"With regard to the Pine trees, these are situated in the front garden and not directly affected by the work. We will, nevertheless, instruct the builder to erect arris fencing using non invasive supports min 1m from the trees and which must be retained there during the course of the works. We will also instruct the builder that no materials are to be stored in the front garden"

- 7.15 Despite the above, the Council's Arboriculture Officer has explained that there is no evidence to suggest that the impact on the trees has been properly considered. Although the proposed development is achievable in arboricultural terms, further information and clarification is required to ensure that the TPO trees are protected during the construction phase. In liaison with the Agent, it has been agreed to include an appropriately worded planning condition – see Planning Condition No.4 - to ensure that; the protected trees are not adversely affected during construction; and the proposed development is not contrary to Policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011.

(v) Flood Issues

- 7.16 The central and western sections of the site are in Flood Zones 2 and 3, whilst the existing dwellinghouse and the proposed development – which are in the eastern section of the site – are not in the current (or future) flood zones.
- 7.17 The Agent has submitted an Environment Agency (EA) - "Householder and Other Minor Extensions in Flood Zones 2 and 3" – Form which indicates that the floor levels within the proposed development will be set no lower than existing levels and that flood proofing of the proposed development has been incorporated where appropriate. Notwithstanding the above, the Havant Borough Local Plan (Allocations) 2014 explains that extensions to existing houses are exempt from the requirements of Policy DM25 in relation to flood risk management in Emsworth.
- 7.18 In light of all the above, it is considered that the proposed development would not put occupiers or employees of the emergency services at any additional risk in the event of a flood. As such, the proposed development is not considered to be contrary to Policy CS15 and Policy DM25 in the Havant Borough Local Plan (Core Strategy) 2011 and the Havant Borough Local Plan (Allocations Plan) 2014 respectively.

(vi) Impact on Utilities

- 7.19 The site is in the High Pressure (HP) Pipe 300m Buffer Zone. Southern Gas originally objected to the proposed development. However, after clarification was sought as to how the objection could be overcome, Southern Gas confirmed that the safety and integrity of their assets would not be affected by the proposed development. Notwithstanding the above, Southern Gas has set out a series of restrictions and conditions which must be complied with during construction. These restrictions and conditions have been included as an Informative and have been sent to the Agent for dissemination to the contractor.

8 **Conclusion**

- 8.1 The scale, siting and design of the proposed development would have an acceptable impact on the character of the area and on neighbouring properties. The proposed development is, therefore, considered to be appropriate and 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/22/00309 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:

Location Plan (Published 21 April 2022)
Block Plan (Published 21 April 2022)
Flood Risk Assessment (Published 27 April 2022)
Drg No: 11742-1B – Amended Existing & Proposed Plans & Elevations
Drg No: 11742-1B – Overshadowing Assessment (45 Degree Line)
Drg No: 11742-2 – Overshadowing Assessment

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 No development shall commence until an Arboricultural Impact Assessment (AIA) and Method Statement has been submitted to, and agreed in writing by, the Local Planning Authority, outlining the measures to be undertaken to prevent damage to the protected trees on site throughout the construction of development. Following approval, such measures shall be implemented on site in complete accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure existing protected trees are not adversely affected by the construction of the development and having due regard to Policy DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.