

Recommendation: **REFUSE PRIOR APPROVAL**

Prior Approval for the enlargement of a dwellinghouse consisting of the construction of one additional storey, immediately above the topmost storey of the dwellinghouse, with a maximum height of 7.6 metres, together with any engineering operations reasonably necessary for the purpose of that construction.

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
AL1 (Presumption in Favour of Sustainable Development)

Emsworth Neighbourhood Plan Post Examination Version 2020
N/A

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

5 Statutory and Non Statutory Consultations

Councillor D Keast - Cowplain
No comment received

Councillor Narinder Bains - Cowplain
No comment received

Councillor Neil Bowdell - Cowplain
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: 12

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
This property is situated within a group of single-storey dwellings, by approving this extension the proposed property will no longer fit with the current character of the area thus having a negative visual impact as it is grossly over proportioned in comparison to all surrounding buildings. In addition to this, the creation of an additional storey will significantly impact the privacy to my property, creating a clear view into the garden and rear of my property from the proposed upstairs windows.	Comment noted please see prior approval criteria assessment in the report below.

7 **Planning Considerations**

- 7.1 The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria.
- 7.2 The proposed additional storey is the subject of recent changes to the General Permitted Development Order (GPDO) which have given general permitted development rights for such changes to take place under a 'prior approval' process. As the additional storey is proposed to a dwellinghouse then it is deemed the application can be considered under Schedule 2, Part 1, Class AA "*enlargement of a dwellinghouse by construction of additional storeys*" of the GPDO.

Paragraph AA.1 of Class AA

- 7.3 Paragraph AA.1 of Class AA details instances where development under Class AA is not permitted. Assessment against this criteria is provided below:

(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, O, P, PA or Q of Part 3 of this Schedule (changes of use);

- Met

(b) the dwellinghouse is located on—

(i) article 2(3) land; or

(ii) a site of special scientific interest

- Met

(c) the dwellinghouse was constructed before 1st July 1948 or after 28th October 2018;

- Met

(d) the existing dwellinghouse has been enlarged by the addition of one or more storeys above the original dwellinghouse, whether in reliance on the permission granted by Class AA or otherwise;

- Met

(e) following the development the height of the highest part of the roof of the dwellinghouse would exceed 18 metres;

- The highest part of the roof does not exceed 18 metres

(f) following the development the height of the highest part of the roof of the dwellinghouse would exceed the height of the highest part of the roof of the existing dwellinghouse by more than—

(i) 3.5 metres, where the existing dwellinghouse consists of one storey; or

(ii) 7 metres, where the existing dwellinghouse consists of more than one storey;

- The highest part of the proposal would not exceed the highest part of the existing roof by more than 3.5 metres.

(g) the dwellinghouse is not detached and following the development the height of the highest part of its roof would exceed by more than 3.5 metres—

(i) in the case of a semi-detached house, the height of the highest part of the roof of the building with which it shares a party

wall (or, as the case may be, which has a main wall adjoining its main wall); or

(ii) in the case of a terrace house, the height of the highest part of the roof of every other building in the row in which it is situated;

- This dwellinghouse is detached

(h) the floor to ceiling height of any additional storey, measured internally, would exceed the lower of—

(i) 3 metres; or

(ii) the floor to ceiling height, measured internally, of any storey of the principal part of the existing dwellinghouse;

- The floor to ceiling height would not exceed 3 metres or any height of an existing storey

(i) any additional storey is constructed other than on the principal part of the dwellinghouse;

- Met

(j) the development would include the provision of visible support structures on or attached to the exterior of the dwellinghouse upon completion of the development; or

(k) the development would include any engineering operations other than works within the curtilage of the dwellinghouse to strengthen its existing walls or existing foundations.

- Met

7.4 Conditions

AA.2.—(1) Development is permitted by Class AA subject to the conditions set out in sub-paragraphs (2) and (3).

(2) The conditions in this sub-paragraph are as follows—

(a) the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

- Met

(b) the development must not include a window in any wall or roof slope forming a side elevation of the dwelling house;

- Met

(c) the roof pitch of the principal part of the dwellinghouse following the development must be the same as the roof pitch of the existing dwellinghouse; and

(d) following the development, the dwellinghouse must be used as a dwellinghouse within the meaning of Class C3 of the Schedule to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the primary use as a dwellinghouse.

- Met

(3) The conditions in this sub-paragraph are as follows—

(a) before beginning the development, the developer must apply to the local planning authority for prior approval as to—

(i) impact on the amenity of any adjoining premises including overlooking, privacy and the loss of light;

(ii) the external appearance of the dwellinghouse, including the design and architectural features of—

(aa) the principal elevation of the dwellinghouse, and

(bb) any side elevation of the dwellinghouse that fronts a highway;

(i) Impact on the amenity of any adjoining premises has been considered :

7.5 To the east of the application site is no 28 – this property has several windows located on the side elevation facing back towards the application site, some of which comprise lounge windows, and a patio area . The building line would be set off from this side boundary with a reasonable separation distance so as to not result in harmful overbearing impact to this property.

7.6 To the west of the application site is no 32 Longwood Avenue which is also a bungalow . There is approximately 4 metres separation distance between nos 30 and 32, with the side elevation of no 30 set 1.5 metres in from the shared side boundary. The proposals would result in a two storey elevation within close proximity of the windows on the side elevation of no 32, notably there is a kitchen window on the side elevation set back towards the rear, also served by a set of doors to the rear elevation . Whilst the proposal would just skim the 45 degree line taken from the mid point of the rear kitchen doors it is considered that the proximity and height of the proposal would result in an overbearing impact to this property exacerbated by the close siting to the boundary.

- 7.7 To the rear is an area of TPO woodland with no 34 Wesermarsch Road located to the north east. The tree cover offers some level of screening and there is not a direct back to back relationship between the rear elevations of these properties. Whilst the proposed rear first floor windows would introduce new views back towards the north it is noted other properties further east have dormers to the rear elevations. There would be approximately 24 metres separation distance between these properties which meets the minimum distance specified in the Havant Borough Design Guide.
- 7.8 For the reasons outlined above the proposal is deemed to result in overbearing impact to the neighbouring property(No 32 Longwood Avenue), contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy).

(ii) Impact of the external appearance of the dwellinghouse , including the design and architectural features of the principal elevation of the dwellinghouse has been considered :

- 7.9 The proposed addition of a third storey to this currently two storey property is judged to be harmful to the character of the streetscene . It is considered that the proposed additional storey would add notably to the mass and bulk of the host dwelling and would substantially change the character and appearance of the existing, modestly sized bungalow. The creation of a two storey dwelling sited between two low height bungalows would disrupt the pattern of development where this side of the road comprises of bungalows of differing design but very similar heights . The Havant Borough Design Guide states that:

In general, an extension should not be bigger than the main building and therefore should appear smaller in mass and height. Extensions should look to the existing building as the main reference point for appearance, materials and details such ridge, verge and eave finishes, head and cills, brick coursing, dressings and quoin work. The positions and proportions of solid wall to opening of windows and doors is also important. The roof form and slope should also reflect that of the main building.

- 7.10 In this instance it appears there is little relation between the existing dwelling and that proposed. Furthermore, whilst there are two storey dwellings in the vicinity including on the opposite (southern) side of the road on the eastern approach to Forest Avenue, that side of the road is more varied and therefore alterations at two storey height are less prominent within the streetscene. The northern side of the road where no 30 is located includes a cluster of bungalows and chalet bungalows, with No.30 itself lying within an immediate context between two low height bungalows. In this context a two storey dwelling is considered to appear highly prominent and out of keeping.
- 7.11 For the reasons outlined above the proposal is considered contrary to the Borough Design Guide in terms of impact on the character of the area and policy CS16 of the Havant Borough Local Plan (Core Strategy).

*(iii) air traffic and defence asset impacts of the development; and
(iv) whether, as a result of the siting of the dwellinghouse, the development will impact on a protected view identified in the*

Directions Relating to Protected Vistas dated 15th March 2012(3) issued by the Secretary of State;

-Met

8 Conclusion

- 8.1 The proposed size, mass and bulk of the proposed first floor extension is considered to be of a design which does not accord with local planning policy in that it would create a dominant, incongruous feature at odds with the pattern of development of the streetscene . In addition the siting of the proposal between two bungalows is considered to result in a highly prominent appearance resulting in an overbearing impact to the amenity of no 32, contrary to Policy CS16 of the Havant Borough Local Plan. This proposal is judged to be contrary to the design guidance as set out in paragraphs 126, 130 and 134 of the National Planning Policy Framework. Of the above listed criteria which the local planning authority are allowed to take into account the scheme fails on design grounds and impact on neighbour amenity. Accordingly, the prior approval is recommended for refusal.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **REFUSE PRIOR APPROVAL** for application APP/22/00704 for the following reasons

- 1 This proposal would by reason of its design and height result in a building with a dominant appearance, conflicting with the existing pattern of development in the surrounding streetscene. The additional storey would appear incongruous when viewed within the context of the bungalows on either side, with the additional height resulting in a non-subservient addition to the host dwelling. The proposal is therefore contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Havant Borough Council Borough Design Guide SPD December 2011 and the National Planning Policy Framework.
- 2 The additional height, mass and bulk of the two storey extension within close proximity to the side site boundary would result in an overbearing impact to No. 32 Longwood Avenue to the harm of the occupiers residential amenity. The proposal is therefore contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Havant Borough Council Borough Design Guide SPD December 2011 and the National Planning Policy Framework.