
Site Address: 50 Selangor Avenue, Emsworth, PO10 7LT
Proposal:

Single storey rear extension including render to all ground floor walls, and loft conversion including hip-to-gable roof extension and rear dormer.

Application Type: Full Planning Permission
Application No: APP/22/00097 Expiry Date: 13/04/2022
Applicant: Mr Z Broad
Agent: Stephen Bromley Associates Case Officer: Lewis Ford
Ward: Emsworth

Recommendation: **GRANT PERMISSION**

1 Site Description

The application site is 50 Selangor Avenue, Emsworth, PO10 7LT. The site comprises a semi-detached, 3no. bedroom bungalow of traditional brick and tile construction with UPVC doors and windows. The bungalow is in a residential area and the adjacent properties do not differ greatly in terms of design, style, and tenure. Finally, the site is identified as being in Character Area 4 of the Emsworth Neighbourhood Plan which includes terraced and semi-detached properties from the late-nineteenth to mid-twentieth centuries

2 Planning History

HWU/04766/5 – PERM in July 1957 for the erection of 2 bungalows on Plots 12 & 26.
HWU/04087 – REFUSAL in Feb 1956 for the use of land for residential development.
HWU/03683 – REFUSAL in July 1955 for the use of land for residential development.
HWU/04302 – PERM in June 1956 for the use of land for residential development.
HWU/04351 – PERM in June 1956 for the use of land for residential development.
HWU/04766 – PERM in Jan 1959 for the layout of land for 39 building plots.
APP/21/01318 – Prior Approval (WITHDRAWN).

3 Proposal

Single storey rear extension including render to all ground floor walls, and loft conversion including hip-to-gable roof extension and rear dormer.

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)
CS19 (Effective Provision of Infrastructure)
DM10 (Pollution)
DM13 (Car and Cycle Parking on Residential Development)

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

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

Councillor Julie Thain-Smith

No comment

Councillor Lulu Bowerman

No comment

Councillor R Kennett

No comment

Developer Services, Southern Water

Southern Water requires a formal application for any new connection to the public foul and surface water sewer to be made by the applicant or developer. To make an application, please visit Southern Water's "Get Connected" service:

<https://developerservices.southernwater.co.uk/>

As part of the above, please read our New Connections Charging Arrangement documents which are available on our website via the following link:

<https://www.southernwater.co.uk/developing-building/connection-charging-arrangement>
[s](#)

In situations where surface water is being considered for discharge to our network, we require the following hierarchy for surface water – reuse, infiltration, watercourse, storm sewer, and combined sewer – to be followed which is reflected in Part H3 of Building Regulations. Whilst reuse does not strictly form part of this hierarchy, Southern Water would encourage the consideration of reuse for new developments.

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 Gas Network

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: 5

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

A planning application for a single-storey rear extension was originally consulted on between 17 February and 10 March 2022; during this time no comments were received. After the initial site visit, it was discovered that the applicant was carrying out further works – including a loft conversion and rendering of the ground floor walls – which required formal planning permission. An Amended Application Form and Proposed Plans were submitted on 26 April 2022 and a neighbour re-consultation (with a revised proposal description) took place between 26 April and 17 May 2022. A follow-up site visit then showed that further works (including double doors on the rear dormer under-construction) were not correctly shown on the Proposed Plans. As such, Amended Proposed Plans and a Material Specification were requested and received on 21 June 2022, and a further neighbour re-consultation was carried out between 21 and 29 June 2022. During this final re-consultation, 1no. letter of objection was received - please see below.

Comment

I live at, and am the owner of, [REDACTED] and have been aware of the development. I am becoming increasingly alarmed at the design of the extension because I am overlooked by 1st floor French doors and a large window leaning to a loss of privacy.

I would be very grateful for someone involved in the planning to come and see this from my property and propose a way of minimising intrusion.

Officer Comment

A site visit was attempted on 11 July 2022 at 12:25pm but unfortunately the objector was not home. Despite the above, the proposed development could be seen from the driveway and so an officer assessment was still undertaken.

The french doors on the rear dormer could be delivered under permitted development allowances and so do not warrant refusal. However, it is recognised that the use of the flat roof as a balcony, terrace or raised platform has the potential to lead to overlooking and loss of privacy. As such, appropriately worded planning conditions have been proposed to include a glass balustrade and limit the use of the flat roof for maintenance purposes only.

7 Planning Considerations

- 7.1 The proposed development has commenced, but not yet finished, on site despite formal planning permission not being granted. The start of construction is not a material planning consideration. Instead, it is considered that the main issues arising from this application, whilst having due regard to the relevant policies in the development plan, are

- (i) Principle of Development
- (ii) Impact on the Character of the Area & Appropriateness of Design
- (iii) Impact on Neighbouring Properties
- (iv) Parking
- (v) Impact on Utilities

- (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 a new rear extension; and
The construction of a hip-to-gable roof extension; and
The construction of a rear dormer; and
The installation of 2no. rooflights on the front roof slope; and
The rendering of all ground-floor walls.

Rear Extension

- 7.4 In terms of the existing rear extension on the south-east corner of the dwellinghouse, this does not benefit from formal planning permission. In addition, it is too large to have been delivered under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) which covers the enlargement, improvement and/or alteration of a dwellinghouse. Although the existing rear extension would, therefore, be considered as a breach of planning control, it is understood that it was completed more than 4 years ago and so is immune from any planning enforcement action. The proposed development includes alterations to the fenestration of the existing rear extension.
- 7.5 The Havant Borough Design Guide SPD states that rear extensions should be smaller, modest, and subservient in comparison to the main dwellinghouse. The proposed new rear extension would infill the area between the existing rear extension (to be retained) to the east, and the existing garage to the west, to create a larger living room area. The proposed new rear extension would include bi-fold doors (facing south) and would comprise a width of approximately 4.9m, a depth of approximately 4.3m, and a height of approximately 2.9m with a flat roof. Finally, the proposed new rear extension would create a uniform and flush rear elevation when considered in relation to the existing rear extension and bungalow.

Roof Extension

- 7.6 The Havant Borough Design Guide SPD advises that householder roof works should not dominate the existing roof, and that dormers should be set back from the front line of the wall below, in from the verge, and below the ridge line of the roof. The SPD further advises that dormers should have pitched, rather than flat roofs and that rooflights should be avoided on front roof slopes. In addition, the Design Checklist in the Emsworth Neighbourhood Plan states that flat roofs can create maintenance issues and should be avoided as they are considered to be out of character with Emsworth. However, in recognition that the proposed dormer and rooflights could have been considered under permitted development allowances – if not for the proposed non-matching materials - the proposed dormer and rooflights do not warrant refusal especially when considering other existing examples of flat roofed dormers and extensions in the locality.

Materials

- 7.7 The Havant Borough Design Guide SPD explains that householder developments should look to the existing dwellinghouse and its neighbours as the main reference points for appearance, materials, and detailing. The proposed gable and dormer walls would comprise “cream white” horizontal cedar board, whilst the existing brick walls at ground-floor would be k-rendered in a “buttermilk” colour. These are non-matching materials which would not normally be supported by the Design Guide SPD. However, although the predominant built form of the area comprises traditional brick and tile construction, there are examples of white render and various coloured horizontal cladding boards along Selangor Avenue. In addition, it is considered that the two wall materials would not be particularly obvious within the streetscene due to the position of the neighbouring property (No.48) being slightly forward of the application site (No.50). In light of all the above, it is considered that the proposed materials would not warrant refusal.

Summary

- 7.8 Moreover, the design and appearance of the proposed development is considered to be acceptable in the context of the application site as it would not result in a significant adverse impact on the visual amenity of the area. As such, the proposed development would not be contrary to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, nor Policies D1 and D2 of the Emsworth Neighbourhood Plan

(iii) Impact on Neighbouring Properties

- 7.9 The Havant Borough Design Guide SPD states that householder developments should be more than 2m from the boundary with adjacent properties, 8m from the rear boundary, and 20m from the neighbouring property to the rear (No.18 Nore Crescent). The proposed development meets all the above criteria and is approximately 2.5m, 28m and 39m from the western side boundary, rear boundary, and rear neighbouring property respectively. In addition, the proposed western side window in the proposed gable wall would be obscure glazed and fixed shut to 1.7m above floor level to reduce any potential impact on No.48 Selangor Avenue to the west. This is supported and an appropriate planning condition has been proposed to ensure the western side window is obscure glazed – see Planning Condition No.3.

- 7.10 The double doors and long window on the proposed rear dormer has raised concern (with the 1no. letter of objection received) due to the potential for the overlooking and loss of privacy of neighbouring properties, particularly the neighbouring properties to the rear along Nore Crescent. As part of the above, there is also the potential for the flat roof of the single storey extension to be used as a balcony, terrace or raised platform which further exacerbates this concern. The installation of the double doors and long window could have been delivered under permitted development allowances if it was not for the non-matching materials on the proposed rear dormer. In recognition of this, the installation of the double doors and long window do not justifiably warrant refusal. However, after discussions with the Agent and Applicant about Officer and neighbour concerns regarding loss of privacy and overlooking, the proposed plans now show that the double doors will open inwards, and a glass balustrade will be installed to create a Juliet style balcony – this would be secured via Planning Condition No.4. In addition, a Planning Condition has been proposed to limit the use of the flat roof for maintenance purposes only to prevent the potential use of it as a balcony, terrace or raised platform – see Planning Condition No.5.
- 7.11 On balance, it is considered that that the proposed development would have an acceptable impact on neighbouring properties in light of the plot size, separation distances and the inclusion of Planning Condition Nos 3, 4 and 5. As such, it is considered that the proposed development would not be contrary to the requirements of Policy CS16 in the Havant Borough Local Plan (Core Strategy) 2011.

(iv) Parking

- 7.12 The proposed development would comprise the net increase of 1no. bedroom, so transforming the existing 3no. bedroom property into a 4no. bedroom dwellinghouse. The Havant Borough Parking SPD supplements Policy DM13, and replaces Appendix 5, in the Havant Borough Local Plan (Core Strategy) 2011. Table 4A in the SPD states that the minimum vehicular parking requirements for a 4-bed dwellinghouse is 3no. vehicular spaces. In light of the increase of 1no. bedroom, the application site would need to accommodate 3no. vehicular parking spaces for the proposed development to be considered acceptable in terms of parking.
- 7.13 The SPD confirms that the minimum dimensions for an individual vehicular parking space are 2.4m in width by 4.8m in length, whilst a single garage can only be considered as a vehicular parking space if it measures a minimum of 3m in width by 6m in length internally. Paragraph 4.10 of the SPD explains that a garage smaller than the minimum measurements stated above is unlikely to provide sufficient space for a modern vehicle and/or some storage. In recognition that the existing garage would not meet the minimum internal space requirements stated above, the Agent has demonstrated on the Amended Plans that 3no. tandem vehicular spaces (2.4m by 4.8m) can be accommodated on the existing driveway.

(v) Impact on Utilities

- 7.14 The application site is in the HP Pipe 300m Buffer. Southern Gas has been consulted but, unfortunately, has not been able to provide comments on this planning application. In recognition of the buffer zone, the standard Southern Gas Overbuild Advisory Note has been included as an informative.

- 7.15 A Southern Water Foul Sewer Line runs parallel with the application site under the adopted public highway – Selangor Avenue. Although it is believed that the proposed new rear extension would be approximately 25m away from the sewer line, Southern Water has advised that it may be possible that a sewer (now deemed to be public) could be crossing the application site. Southern Water has advised that, in the instance that any sewer is found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works can commence on site. In acknowledging Southern Water's comments, an appropriate planning condition has been proposed – see Planning Condition No.6

8 Conclusion

- 8.1 In reviewing the submitted information and the Town and Country Planning (General Permitted Development) (England) Order 2015, it is considered that the proposed development would be appropriate subject to appropriate planning conditions and, therefore, is recommended for approval.
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9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/22/00097 subject to the following conditions:

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Amended Application Form & Block Plan
(Received 26 April 2022)

Drg No 11988-1E: Amended Existing & Proposed Plans
(Received 21 June 2022)

Material Schedule
(Received 21 June 2022)

Reason: To ensure provision of a satisfactory development.

- 2 The external materials used shall be as indicated on the submitted forms and hereby approved plans, or 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.

- 3 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, the first-floor window on the western side elevation shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass which obscuration level is no less than Level 4 of the Pilkington Texture Glass scale (or equivalent) and retained as such thereafter.

Reason: In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, the first-floor double doors on the southern rear dormer shall be fitted with a glass balustrade and thereafter retained unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 The flat roof of the single storey rear extension shall not be used as a balcony, terrace nor raised platform at any time, and shall be accessed for maintenance purposes only.

Reason: In the interests of the amenities of the occupiers of nearby properties and having due regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 In the event that a public sewer is found at any time when carrying out the approved development which were not previously identified, development shall STOP until details of the measures which will be undertaken to protect the public sewer have been submitted to, and approved in writing by, the Local Planning Authority. 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 the adequate protection of infrastructure having due regard to Havant Borough Local Plan (Core Strategy) Policies CS19 and DM10 and the National Planning Policy Framework.