
Site Address:	23 New Brighton Road, Emsworth, PO10 7PR		
Proposal:	Two storey and single storey rear extensions.		
Application Type:	Full Planning Permission		
Application No:	APP/22/00327	Expiry Date:	29/06/2022
Applicant:	Watson		
Agent:	Mrs Fox	Case Officer:	Lewis Ford
	Critchley Architecture and Design		
Ward:	Emsworth		

Recommendation: **GRANT PERMISSION**

1 Site Description

The application site is No.23 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, 3-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 2m high boundary fencing and planting. To the front of the dwellinghouse, the front garden can accommodate the parking of approximately 2no. vehicles, whilst to the rear of the dwellinghouse, the amenity space is generous with a depth of approximately 55m. Finally, the dwellinghouse includes an existing rear conservatory which would be demolished to facilitate the delivery of the proposed development.

2 Planning History

None relevant.

3 Proposal

Two storey and single storey rear extensions.

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)
- CS14 (Efficient Use of Resources)
- 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)
- ENP_D7 (Mitigate Light Pollution)
- ENP_D6 (Resource Efficiency)

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, 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 BS5837:2010.

05 July 2022

The submitted documents are very general and not site specific. There is no evidence to suggest the impact on trees has been properly considered. 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 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; and the proposed development is achievable without impacting the protected trees (subject to a technical solution being agreed).*

Councillor J Thain-Smith - Emsworth

No comment.

Councillor L Bowerman - Emsworth

No comment.

Councillor R Kennett - Emsworth

No comment.

Southern Gas Network

04 May 2022

SGN ref: 25521810

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/47683

LSBUD ref: 25521810

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 work 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: 4

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

This planning application (ref. APP/22/00327) was originally consulted on between 04 and 26 May 2022. During this time, 1no. objection was received (see below) and a separate planning application - for a first-floor rear extension, single storey rear extension, raised platform and works to provide disabled access – was being consulted on at the adjoining neighbouring property to the north – No.25 New Brighton Road – under reference APP/22/00309. In response to the planning application at the adjoining property, the Applicant for this application (ref. APP/22/00327) amended their proposal to be similar to their pre-application proposal, and these subsequent amendments were consulted on between 29 June and 07 July 2022.

A site meeting took place on 21 July 2022 between the Council, the Applicant, 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 and that No.23's proposal – the subject of this report – would need to be amended again to ensure that it could mitigate any potential overshadowing and loss of light to No.25 in the instance that No.25's proposal (now permitted) is not built out. These final amendments were consulted on between 27 July and 05 August 2022 and, during this time, no subsequent neighbour comments were received.

Comment	Officer Comment
My clients do not object to the ground floor extension and indeed they have an application for a matching single storey extension with the council at this time. However, they are forced to object to the length of the proposed first floor extension. A 5.7m first floor extension as proposed to number 23, would have a very significant affect on the light and view from number 25 and adversely affect the amenity. We appreciate that the extension is set away from the boundary, but this does not mitigate the effect to any great degree. We trust the planning officer will take this into account when deciding on the application.	The proposed development has been amended to broadly mirror the development proposal at, and mitigate any potential impact on the amenity of, No.25 New Brighton Road – the adjoining property to the north. No further comments have been received during the final re-consultation on the amended plans. Any concerns regarding amenity have been addressed in Section 7 of this report.

7 Planning Considerations

7.1 In 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) Adaption to, and Mitigation of, Climate Change
- (iii) Impact on the Character of the Area & Appropriateness of Design
- (iv) Impact on Neighbouring Properties
- (v) Local Ecological Network (LEN)
- (vi) Flood Issues
- (vii) 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. Planning Permission was granted on 14 August 2017 (ref. APP/17/00606) for a two-storey extension which was never built out, and on 29 July 2022 (ref. APP/22/00309) for a first-floor extension and single storey extension, at No.25 New Brighton Road – the adjoining property to the north. The above Planning Permissions have established the principle of a two-storey rear extension on a site of this plot size. However, given the potential impact on the amenities of neighbouring properties, development would only be considered acceptable subject to development management criteria and appropriate mitigation.

(ii) Adaptation to, and Mitigation of, Climate Change

7.3 The Climate Change Act 2008 (2050 Target Amendment) Order 2019 is the first legally binding target by a major economy and commits the UK to decreasing its greenhouse gas (GHG) emissions to “Net Zero” by 2050. The Havant Borough Design Guide SPD identifies the utilisation of roof slopes for collecting solar energy for conversion into electricity and/or to heat water for a building’s occupants. As such, the installation of solar photovoltaic (PV) panels on the front eastern roof slope of the existing dwellinghouse is supported by Policy CS14 in the Havant Borough Local Plan (Core Strategy) 2011, and Policy D6 in the Emsworth Neighbourhood Plan.

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

7.4 The rear elevation currently includes a single storey, hipped roof conservatory which expands the width of the rear elevation and has a depth and maximum height of approximately 5.65m and 3.2m respectively. The proposed development would comprise the demolition of the existing rear structure and the construction of the following:

- (1) A two-storey rear extension comprising a depth, width, and maximum height of approximately 3.5m, 5.7m, and 7.35m respectively; and
- (2) A single storey rear extension comprising a depth, width, and maximum height of approximately 4.45m, 5.7m, and 3.5m respectively.

7.5 The proposed development would comprise a total depth of approximately 8m from the “original” rear wall of the existing dwellinghouse and would broadly mirror the mass and bulk of the rear extensions permitted under ref. APP/22/00309 at the adjoining property to the north – No.25 New Brighton Road. 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 large plot of more than 55m in depth

7.6 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. 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 proposals should include matching materials to remain in keeping with one another, the existing semi-detached properties, and the character of the area. The Agent has confirmed that the proposed development will include bricks, slate tiles, and anthracite grey UPVC windows to match the existing dwellinghouse. This would accord with the recommendations of the Design Guide SPD and, 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.

7.7 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 would result in a large addition to the “original” dwellinghouse, it is considered on balance that the appearance, design, and mass of the proposed development would not lead to demonstrable harm given the large plot size and other examples of existing and recently permitted development in the locality. In considering all the above, it is considered that 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.

(iv) Impact on Neighbouring Properties

7.8 The Havant Borough Design Guide SPD explains that two storey and single 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

7.9 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 level with No.25 (and its recently permitted extensions) to the north, whilst retaining a separation distance of approximately 2m from No.21 to the south. In light of the recently granted Planning Permission (ref. APP/22/00309) at No.25, it is considered that the above is acceptable and would not warrant refusal in this instance.

7.10 The Design Guide 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 and/or loss of light. The potential impact on the two neighbouring properties has been considered further below.

No.21 New Brighton Road

7.11 No.21 New Brighton Road is the neighbouring property to the south. The proposed development would include new, and extensions to existing, windows along its southern side elevation. However, it is considered that the proposed development would not increase the potential for overlooking and/or loss of privacy beyond existing levels. This is due to the existing fenestration at No.21, and the boundary fencing and planting along No.23's southern side boundary which provides adequate screening. 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.

No.25 New Brighton Road

7.12 No.25 New Brighton Road is the adjoining neighbouring property to the north. As the proposed development would be south of No.25, there was initial concern that the proposal would lead to adverse overshadowing and loss of light at No.25. Following an additional site visit on 21 July 2022 – attended by the Council, the Applicant, and the Agents of both planning applications at Nos 23 and 25 New Brighton Road – it was explained that although the proposed development would broadly mirror the mass and bulk of the householder extension proposed at No.25 (now permitted), the proposal at No.23 would still need to mitigate any potential overshadowing and loss of light at No.25 in the instance that the (now permitted) householder extension at No.25 is not built out.

7.13 The Amended Plans propose an angled first-floor footprint as part of the proposed two storey element. More specifically, after extending by approximately 1.98m from the original rear wall, the proposed first floor element is then angled at 45 degrees towards its maximum first floor depth of approximately 3.5m. 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.25 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 towards 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.

7.14 The SPD explains that if the centre of the main doors/windows at No.25 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 proposed angled nature of the first-floor element, the centre of No.25'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.25 (if the recently permitted development at No.25 is not built out), 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 development would not include any windows and/or doors which would face towards No.25.

7.15 The proposed development is unlikely to appear overbearing or lead to overlooking and/or 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 proposed angled nature of the first-floor element. Consequently, it is considered that any resulting harm would not warrant a reason for refusing planning permission in this instance. As such, it considered that the proposed development would not be contrary to Policy CS16 in the Havant Borough Local Plan (Core Strategy) 2011.

(v) Local Ecological Network (LEN)

Bat & Bird Boxes

- 7.16 The submitted “Householder Ecological Enhancements” (Published 21 April 2022) and the “Amended Ecological Enhancement Plan” (Drg No: 22015-114A) set out the locations for the installation of; 1no. bat box on the southern side elevation of the existing dwellinghouse; and 2no. multi-species bird boxes in the rear of the garden. The above is supported by Policy DM8 in the Havant Borough Local Plan (Core Strategy) 2011.

Lighting

- 7.17 The submitted “Householder External Lighting for Biodiversity” (Published 21 April 2022) alludes that the proposed lighting would; only illuminate the immediate area; be fitted with movement sensors; utilise a “sharp downward angle”; and utilise a shield or hood to restrict the area to be lit. The above has been confirmed via the submission of the “Lighting Specification” (Published 20 June 2022) which sets out the installation of MiniSun Barrow Downlights with 5W LED. The above will help to reduce light pollution and limit any potential disturbance to foraging and commuting bats. In doing so, the above would accord with Criteria (a) and (c) of Policy D7 in the Emsworth Neighbourhood Plan.

Trees

- 7.18 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.
- 7.19 The Applicant has submitted an Arboricultural Impact Assessment (AIA) and Method Statement (June 2022), and has highlighted proposed protective fencing around the TPO trees in the submitted Construction Management Plan. However, despite the above, the Council’s Arboriculture Officer has explained that the submitted documents provide no evidence to suggest that the impact on the protected trees has been properly considered. Although the proposed development would be 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 in the Havant Borough Local Plan (Core Strategy) 2011.

(vi) Flood Issues

- 7.20 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.
- 7.21 The Agent has submitted an Environment Agency (EA) - “Householder and Other Minor Extensions in Flood Zones 2 and 3” – Form and a series of proposed flood mitigation measures. The above 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 Plan) 2014 explains that extensions to existing houses are exempt from the requirements of Policy DM25 in relation to flood risk management in Emsworth.
- 7.22 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.

(vii) Utilities

- 7.23 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 is considered to 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.
-

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/22/00327 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: 22015-2010 – Existing Floor Plans

Drg No: 22015-301A – Existing Elevations

Drg No: 22015-111B – Amended Location Plan & Block Plan

Drg No: 22015-113A – Amended Overshadowing Assessment

Drg No: 22015-114A – Amended Ecological Enhancement Plan

Drg No: 22015-413B – Amended Proposed Floor Plans

Drg No: 22015-513B – Amended Proposed Elevations

Lighting Specification (Published 20 June 2022)

Householder Ecological Enhancements (Published 21 April 2022)

Householder Extension in Flood Zones 2 and 3 EA Form

(Published 27 April 2022)

Householder Extension Flood Mitigation Measures (Published 27 April 2022)

Householder External Lighting for Biodiversity (Published 21 April 2022)

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.