
Site Address: 18 Warren Close, Hayling Island, PO11 0HP
Proposal:

Application for proposed single storey front and rear extensions; and retrospective application for increased rear fence height.

Application Type: Full Planning Permission
Application No: APP/22/00343 Expiry Date: 22/06/2022
Applicant: Mr Clements
Agent: Critchley Architecture and Design Case Officer: Lewis Ford
Ward: Hayling West

Recommendation: **GRANT PERMISSION**

1 Site Description

The application site is 18 Warren Close, Hayling Island, PO11 0HP. The site includes a 1960s, detached, 3-bedroom bungalow which comprises traditional concrete tiles, UPVC windows and doors, and external walls of vertical white cladding, light grey render, and brick plinth. The site is accessed via Warren Close which is a cul-de-sac of 19no. dwellings of various tenures and external materials.

2 Planning History

HWU/03474 – REFUSAL in Mar 1955 for residential development.
HWU/04433 – OUTLINE PERM in July 1956 for residential development.
HWU/04433/1 – OUTLINE PERM in May 1958 for layout of 26no. dwellings.
HWU/04433/2 – OUTLINE PERM in Feb 1959 for roads for residential development.
HWU/04433/3 – OUTLINE PERM in Mar 1960 for road to serve 22no. dwellings.
HWU/04433/4 – PERM in June 1960 for erection of 19no. dwellings.
APP/21/00280 – PERM in June 2021 to reduce the northern laterals of 1no. Oak (subject to TPO2112) on land to rear of 18 Warren Close.

3 Proposal

Application for proposed single storey front and rear extensions; and retrospective application for increased rear fence height.

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

CS15 (Flood and Coastal Erosion)

CS16 (High Quality Design)

CS17 (Concentration and Distribution of Development within the Urban Areas)

CS19 (Effective Provision of Infrastructure)

DM10 (Pollution)

DM8 (Conservation, Protection and Enhancement of Existing Natural Features)

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

Not applicable.

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist

06 June 2022

There are no statutorily protected trees onsite or on adjacent land that will be affected by the proposals. However, there are trees on the neighbouring property that are likely to be affected. 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 work commencing onsite. This should be in the form of an Arboricultural Impact Assessment (AIA) and Method Statement in accordance with BS5837:2010.

Officer comment: *Clarification was sought in June 2022 about which tree(s) the above comment refers too.*

11 July 2022

The birch is on the applicant's property. It will require pruning and some temporary protection measures to enable access to the site during the construction process. I'd recommend a pre-commencement condition requiring the submission of details of how this will be achieved.

Officer comment: *The requirement for an AIA and Method Statement is not considered to be reasonable given the tree's non-protected status, the existing access width, and the distance between the proposed development and existing tree. As such, a condition has been included which requires temporary protective fencing to be erected around the identified tree throughout the period of construction. This revised condition is considered to be appropriate and reasonable.*

Councillor Brenda Linger - Hayling West

No comment.

Councillor Clare Satchwell - Hayling West

No comment.

Councillor I Scott Hayling West

No comment.

Countryside Access Team

In relation to this application, we are responding on behalf of Hampshire County Council as Highway Authority in respect of Public Rights of Way (PROW). Public Rights of Way (PROW) appear to be unaffected by the proposals. We therefore have no objection.

Developer Services, Southern Water

18 May 2022

Please see attached the extract from Southern Water records showing the approximate position of our existing surface water sewers within the development site. The exact position of the public assets must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finished.

- The 225mm and 150mm diameter gravity surface water sewers requires a clearance of 3 metres on either side of the gravity sewers to protect it from construction works and to allow for future maintenance access.
- No development or tree planting should be carried out within 3 metres of the external edge of the public gravity sewers without consent from Southern Water.
- No soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of public or adoptable gravity sewers.
- All existing infrastructure should be protected during the course of construction.

Please refer to: <https://www.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 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/>

Please read our New Connections Charging Arrangements documents which are available on our website via the following link: <https://www.southernwater.co.uk/developing-building/connection-charging-arrangements>

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.

Officer comment: *The Agent reviewed the above comments and explained that the location of the surface water sewer is more than 3m away from the proposed single-storey front and rear extensions. The above was communicated to Southern Water and clarity was sought on the suitability of a standard condition to address Southern Water's concerns.*

28 June 2022

I have been advised the mentioned planning condition does include Southern Water concern over sewer protection.

Officer comment: *The standard condition has been included and the proposed screening plan has not been approved as the proposed hedgerow would be within 3 metres of the external edge of the public gravity sewers. Notwithstanding the above, the Applicant could undertake minor planting works (i.e., no new trees) along the eastern side boundary without the need for formal permission.*

Open Space Society

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: 8

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 0

The application was originally consulted on between 27 April and 13 May 2022. However, during the site visit on 11 May 2022, it was discovered that the rear boundary fencing was higher than that allowed under permitted development rights (PDR), and that the materials initially proposed on the plans for the single-storey extensions were not the same as the materials the Applicant wished to use. The above was communicated to the Agent and revised plans were received and later consulted on between 13 and 20 June 2022.

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 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 comprises three parts as follows:

Part 1: The retrospective installation of fencing along the rear boundaries; and

Part 2: The construction of a single-storey front extension to enlarge the existing lounge; and

Part 3: The demolition of the existing conservatory and construction of a replacement single-storey rear extension to provide a dining room.

7.4 In terms of Part 1, the applicant has installed wooden trellis on top of the existing rear boundary walls to produce a total boundary height of 2.35m above ground level. As the total height above ground level is more than 2m, the installation of the wooden trellis cannot be delivered under Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 and, as such, retrospective formal planning permission is required. It is not considered that the addition of the wooden trellis is out of keeping with the character of the area nor the rear boundary treatments in the locality.

7.5 As for Parts 2 and 3, the Havant Borough Design Guide SPD explains that extensions should be smaller, subservient, sympathetic, and modest in mass and height compared to the main dwellinghouse. In addition, the Design Guide SPD states that proposed roofs should mirror that of the main dwellinghouse in terms of angle, eaves, details, and materials. The proposed front and rear extensions would mirror and respect the existing roof slope which is supported by the SPD. In terms of bulk and mass, the existing rear conservatory (3.65m x 3m) would be demolished to facilitate the delivery of the proposed rear extension which would have a depth and width of approximately 4m and 4.45m respectively (slightly larger than the existing conservatory) and would be flush with the western side elevation. As for the proposed front extension, the existing bungalow comprises an L-shape and, therefore, staggered principal elevation. The delivery of the proposed single-storey front extension would extend the principal elevation closest to the public highway by approximately 3.6m whilst remaining flush with the western side elevation.

- 7.6 The Design Guide SPD advises that front extensions should not protrude too far forward from the main building, should not be prominent in the streetscene, and should respect the common building line. The delivery of the proposed front extension would break the building line with No.19 Warren Close to the east. It was previously considered that a suitably worded planning condition could be included to retain and enhance the existing trees and shrubs on the front boundary to retain a degree of screening between the proposed front extension and the public highway. However, on reflection, it is recognised that such a condition can be difficult to enforce in perpetuity. In addition, it is acknowledged that No.18 (the site) is set further back from the public highway compared to No.19 due to the position of the road. The delivery of the proposed front extension would still retain a separation distance to the public highway of approximately 10.9m. This retained garden space would be in keeping with the front garden sizes in the locality and is considered to be sufficiently set back from the public highway. Although the proposed front extension would unavoidably change the frontage of the property, it is not considered that this would result in demonstrable harm.
- 7.7 The Design Guide SPD states that extensions should look to the existing dwellinghouse and its neighbours as the main reference points for appearance, materials, and detailing. The proposed front extension would comprise cedar-style cladding and floor-length windows facing onto the public highway, whilst the proposed rear extension would comprise light grey render to match the existing bungalow. The locality comprises brick, render and cladding of various textures, colours, and finishes. As such, it is not considered that the proposed external wall materials would be out of keeping with the character of the area. In terms of doors, windows and the roof, the proposed front and rear extensions would comprise UPVC doors and windows, and concrete roof tiles, to match the existing bungalow.
- 7.8 Moreover, the appearance, design and mass of the proposed development is deemed to be acceptable and appropriate within the context of the application site and its locality. It is considered that the proposed development would not result in an adverse impact on the visual amenity of the locality and, as such, it would meet the requirements of Policy CS16 in the Havant Borough Local Plan (Core Strategy) 2011.

(iii) Impact on Neighbouring Properties

- 7.9 The Havant Borough Design Guide SPD explains that extensions should be at least 1m from the boundaries with adjacent properties. Although the proposed extensions would be within 0.6m of the western side elevation, this is considered acceptable given that, by doing so, both extensions would be flush with the western side elevation of the existing bungalow. As for the rear extension more specifically, the Design Guide SPD explains that rear extensions should maintain a distance of at least 8m from the rear boundary wall and at least 20m from neighbouring properties to the rear. In this instance, the proposed rear extension would be approximately 7.5m and 51m from the rear boundary and the nearest property to the rear respectively. Although the former does not quite meet the Design SPD's recommendation, the difference of 0.5m is not considered to warrant refusal.
- 7.10 The Design Guide SPD states that householder extensions and alterations should not have an adversely negative effect on the amenity of neighbouring properties. The potential effects on No. 17 (to the west), No.19 (to the east), and the wider locality have been considered further below.

- 7.11 No.17 Warren Close is the neighbour to the west of No.18 (the site) and is set back further south. The installation of the wooden trellis would increase privacy and decrease overlooking between Nos 17 and 18 Warren Close. In terms of overshadowing and loss of light, the rear gardens of both Nos 17 and 18 are south facing. Although No.17 (to the west) would experience a degree of overshadowing during the early morning hours from both the wooden trellis and the proposed rear extension, this is not considered to have a significant adverse impact to justify refusal on this issue.
- 7.12 No.19 Warren Close is the neighbour to the east of No.18 (the site). The neighbouring property predominantly faces out to the north-east and south and, as such, has limited fenestration along its eastern side elevation close to No.18. The proposed front extension would include a floor length window on the eastern side elevation; however, this would be more than 7.5m away from No.19 and would be screened by the existing boundary fence and vegetation. As for the proposed rear extension, this would include bifold doors on its eastern side elevation and, therefore, would face towards No.19's rear garden. Again, the proposal is sufficiently set back from the eastern boundary (approximately 7.25m) and would be screened by the existing boundary fence.
- 7.13 The proposed front extension would include floor-length windows on the northern front elevation. Previously, concern was raised about the potential for overlooking into, and loss of privacy of, the present and future occupants at No.18 (the site). However, the submission of the Amended Block Plan on 25 May 2022 included the overlay of 45-degree and 21m overlooking zones. In considering the amended submission, it is deemed that any loss of privacy would be limited given; the front garden size; the distance from the public highway; and the existing boundary treatments.
- 7.14 Consequently, it is considered that the trellis fence and proposed front and rear extensions would not create adverse harm to the amenities of the surrounding properties. As such, it is considered that the proposed development (as a whole) would have a limited and an acceptable impact on neighbouring properties and, in doing so, would not be contrary to Policy CS16 in the Havant Borough Local Plan (Core Strategy) 2011. Notwithstanding the above, it is noted that no letters of objection from neighbours have been received with respect to the proposed development.

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

- 7.15 The southern rear boundary of the site is adjacent to a Public Right of Way (PROW) and an Oak tree which is the subject of Tree Preservation Order (TPO) reference 2112. The Countryside Service Team has raised no objection to the proposed development, whilst the Arboriculturist has identified the need to protect the existing birch tree at the front of the site. The Arboriculturist has requested the inclusion of a pre-commencement condition which requires the submission of details – in the form of an Arboricultural Impact Assessment (AIA) and Method Statement – about how the existing birch tree will be protected during construction. Given that the birch tree is not protected and that there is adequate space along the front access for construction materials, it is not considered necessary nor reasonable to require an AIA and Method Statement for the birch tree in this instance. Instead, a proposed Planning Condition has been included which requires temporary protective fencing to be erected around the birch tree throughout the period of construction. Moreover, it is considered that the proposed development – with the inclusion of Planning Condition No.4 – would not be contrary to Policy DM8 in the Havant Borough Local Plan (Core Strategy) 2011.

(v) Flood Issues

- 7.16 The site is not in Flood Zones 2 nor 3; however, climate change modelling has predicted that the site will be in a future flood zone. Despite the above, the proposed development comprises rear boundary fencing, a replacement (albeit slightly larger) rear structure, and a single-storey front extension. 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. The proposed development is, therefore, not considered to be contrary to Policy CS15 in the Havant Borough Local Plan (Core Strategy) 2011.

(vi) Impact on Utilities

- 7.17 There are 2no. Southern Water Surface Water Sewer Lines running along the northern front and southern rear boundaries of the site. Southern Water has commented on the application and provided advice on development close to the existing sewer lines. This advice has been included as an Informative. In addition, Southern Water has explained that it may be possible that a sewer (now deemed to be public) could be crossing the development area. As such, 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 work can commence on site. In acknowledging Southern Water's comments, an appropriate Planning Condition has been proposed – see Planning Condition No.5

8 Conclusion

- 8.1 The scale, siting and design of the proposed development would have a limited and an acceptable impact on the character of the area and 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/22/00343 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. 22030-101B – Location & Block Plan [Received 25 May 2022]
Drg No. 22030-201 – Existing Floor Plans [Received 27 April 2022]
Drg No. 22030-301 – Existing Elevations [Received 27 April 2022]
Drg No. 22030-401 – Proposed Floor Plans [Received 27 April 2022]
Drg No. 22030-501A – Proposed Elevations [Received 25 May 2022]
Drg No. 22030-502 – Standard Fence Elevation [Received 25 May 2022]

Reason: To ensure provision of a satisfactory development.
- 3 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.
- 4 No development shall take place until the existing birch tree located along the front boundary of the site has been enclosed with temporary protective fencing in accordance with BS:5837:2012. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.
Reason: To safeguard the continued health and presence of the existing tree and to protect the amenities of the locality having due regard to Policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 5 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.