

Recommendation: **GRANT PERMISSION**

Emsworth Neighbourhood Plan Post Examination Version 2020
ENP_D1 (General Design Policy)
ENP_D2 (Height, Mass & Materials)

ENP_D3 (Layout, Form & Density)

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

County Archaeologist

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: 9

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 2

Comment	Officer Comment
We have been instructed by (Redacted) to thank you for your letter dated 24th November and to notify you of his OBJECTION to this proposal. It has been noted (from section 10 of the submitted 'Householder' application form) that no pre-application advice was invited from the local planning authority. Furthermore, a Design and Access Statement has not been presented as part of the application, to explain/justify the proposal. The 'Existing east elevation' shown on drawing no.20175-PL-004 shows that the main two-storey body of the house	Please see 'Planning Considerations' section of the report.

presently stands the full width of the side garage away from the north boundary. The 'Proposed east elevation' on drawing no.21075-PL-005 shows, however, that two-storey development would extend virtually to the boundary and generate a dominant impact on residents to the north. As the proposal would stand due south of their homes and gardens, it is evident that such an arrangement would result in the loss of sunlight and daylight and have an overwhelming impact that would be detrimental to their outlook. Paragraph 5.08 of the Design SPD states that *"New developments should not result in the loss of light to existing buildings."* The 'Proposed East Elevation' shown on drawing no.21075-PL-005 shows the eaves and ridge of the side extension at the same heights as those of the existing house. With specific reference to 'Side Extensions', paragraph 5.37 of the adopted 'Design' Supplementary Planning Document (SPD) states that *"The ridge height of the extension can also be reduced to below the height of the main ridge so that the extension does not dominate the main frontage."* As its ridge and eave heights would be the same as the main house, it is evident that the proposed extension would dominate the main frontage, in contravention of paragraph 5.37 of the SPD.

Drawing no. 20175-PL-005 shows a new window at first-floor level above the garage and the "Proposed First Floor Plan" on drawing no.21075-PL-003 indicates that said window would serve the 'Master Bedroom' - a habitable room likely to be in constant use. Our client is concerned that the introduction of a habitable room at first-floor level so close to the common boundary would result in an unacceptable loss of privacy in his modest rear garden. Drawing no 21075-PL-001 shows that the two-storey north elevation of the house at no.17 presently stands 13.5 metres away from the rear elevation of no.19; the two-storey element of the proposed side extension would reduce that outlook distance by a third, to 9 metres. With

specific reference to 'Side Extensions', paragraph 5.38 of the SPD asserts that <i>"...side extensions which have a negative effect on the gap between the buildings should be resisted."</i> It is evident that the proposed side extension <i>would</i> have a negative effect on the gap between nos.17 and 19 and thereby contravene paragraph 5.38 of the SPD. Our client objects to the proposed extension because it would dominate the main frontage; would result in the loss of sunlight and daylight to his home and garden; and would, as a consequence of significantly reducing the gap between no.17 and 19, unacceptably reduce the outlook from the rear of his home. For these reasons, it is submitted that this proposal does not satisfy the requirements of the development plan and should therefore be REFUSED. If the Officers are minded to a contrary view, it is respectfully suggested that this application should be presented to the Planning Committee for decision, in order that our client's concerns may be reiterated in a personal deputation.	There has only been one representation received objecting to this proposal and therefore this does not meet the requirements as outlined in the constitution to be decided via the Planning Committee.
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7 Planning Considerations

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Appropriateness of design and impact on the character of the area
- (iii) Effect on neighbouring properties
- (iv) Parking

(i) Principle of development

7.2 The application site is located within the defined urban area, therefore development is considered acceptable in principle subject to development management criteria.

(ii) Appropriateness of design and impact on the character of the area

7.3 This proposal comprises various alterations . This includes extensions to the front elevation which would comprise of a first floor extension to bring the first floor wall level forward . The roof would be hipped back with the ridge height just below the main roof ridge. This space would create an additional bedroom at first floor level served by windows to the front and side elevations. The existing porch would be removed and replaced with a two storey porch with a pitched roof and void at first floor level formed

from a timber frame with glazing. To the north (side) elevation a first floor extension is proposed above the existing garage which is set back behind the front elevation. This would have a hipped roof level in height with the main roof ridge and the width would be set in from the side of the garage - the depth would extend beyond the rear of the rear elevation. This space at first floor level would create a master bedroom with a window to the front elevation and a juliet balcony to the rear elevation.

- 7.4 To the rear elevation would be a single storey extension with a depth of approximately 3.5 metres , a width spanning between the side extension and other side wall of the property and a height of 3.9 metres forming a flat roof. This space would create an open plan living space with large bi-fold doors to the rear elevation. Beyond this would be a timber framed pergola with dimensions of approximately 3.7 metres depth, 3.5 metres height and 10 metres width. Other alterations include solar panels to the rear roof slope , various alterations to fenestration including the garage door and changes to proposed materials which would include off white render at ground floor level and at first floor to the front elevation of the side extension. Tiles and brick detailing would match existing .
- 7.5 The proposed extensions to the front elevation are judged to appear balanced and the side extension, whilst significant in width, would be set back behind the front elevation by a reasonable distance and is therefore considered to appear a subservient addition to the host dwelling. The side extension would mean the property comes almost full width with the plot - whilst it would be preferable to retain the space at first floor level, the site is adjacent to a rear garden which retains that open space within the streetscene . In addition the pattern of development in the immediate area does include larger properties many of which do take up most of the width of the plot. The extension at ground floor level to the rear would not be highly visible from the public realm and is considered acceptable within the plot size. The first floor side extension would be set back by a significant degree behind the front elevation and is therefore deemed to remain subservient in appearance. The alterations to materials and window and door fittings is considered acceptable when based within the context of the redesign of the property. In conclusion this proposal is not deemed to result in harm to the streetscene and is considered to comply with policies D1, D2 and D3 of the Emsworth Neighbourhood Plan.
- 7.6 The design and appearance of the proposal is deemed appropriate in context to the main building and is therefore considered to be acceptable, meeting the requirements of Policy CS16 of the HBLP (Core strategy). It is considered that the scheme would not result in an adverse impact on the visual amenity of the locality.

(iii) Effect on neighbouring properties

- 7.7 To the north of the application site are the rear gardens of nos 19 to 21. The proposed first floor side extension would be located adjacent to the northern boundary although set off the curtilage by approximately 1 metre at first floor level. The separation distance between the side elevation wall of no 17 and the rear elevation wall of no 21 would be approximately 15 metres and this does exceed the minimum separation requirement of 10 metres as set out in the Havant Borough Design Guide. For this reason the extension is not considered to result in overbearing impact upon these properties. There would be no additional windows proposed to this side elevation, with an existing window removed. The proposed juliet balcony would be sited closer to the side boundary than the existing rear first floor window however would not offer direct views back towards no 21 to the north , whilst it is noted that an indirect view of the rear of no 23 could be sought, the separation distance would be over 20 metres back

to back and this exceeds the minimum separation distance as specified in the Havant Design Guide. It is also noted concerns have been raised in regards to overshadowing towards the north - whilst it is agreed that there would be some additional shadow cast, this would have some impact on the rear of the garden however not on the garden area close to the property or on bedroom windows.

- 7.8 To the south of the application site is no 15 Beacon Square .Following case officer concerns raised in regards to potential overlooking back towards the rear elevation windows and rear garden of no 15 . The first floor side elevation window proposed to this side to serve the additional bedroom has been amended to be set at the same height as the window approved under application reference 32130 approved in 1987 . Work had commenced on the extensions approved under this permission and therefore this permission is still valid. For this reason the proposed window is considered to be acceptable.
- 7.9 To the west (rear) of the site is no 7 . There would be approximately 50 metres separation distance between the rear elevation of no 17 and the rear elevation of no 7. This meets the minimum requirement of 20 metres and therefore there is not considered to be any harmful overlooking as a result of this proposal.
- 7.10 Consequently, it is considered that the proposal will not appear overbearing or lead to overlooking and would have limited and acceptable impact on the properties immediately adjacent to the application site and the properties opposite or to the rear, meeting the requirements of Policy CS16 of the HBLP (Core Strategy).

(iv) Parking

- 7.11 The property would be increasing from 3 to 4 bedrooms and therefore as per the Havant Parking SPD 3 parking spaces are required on site. Including the internal garage and the space on the paved driveway there is considered to be on adequate site parking to meet the parking requirements.

8 Conclusion

- 8.1 The scale, siting and design of the proposal would have limited and acceptable impact on the neighbours and is therefore considered to be appropriate and recommended for approval.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/21/01260

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:

PL008 REV D Proposed revised floor and elevations uploaded on the 18.01.2022

PL007 REV A Parking plan uploaded on the 18.01.2022

PL001 REV A Block and location plan uploaded on the 18.01.2022

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.