

Recommendation:

Havant Borough Local Plan (Allocations) July 2014

Submission Version Havant Local Plan

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

5 Statutory and Non Statutory Consultations

Not relevant.

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: 14

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
Operates a beauticians business from the house with her workshop in what is shown as a sitting room on the current plans in the recently completed single story extension on the rear of the house.	With regards to the beauticians business this has been passed onto our Enforcement Team to investigate.
who Sarah Roberts is we have no idea, hence the confusion.	Sarah Roberts is the applicant's agent on the application.
Our concern is that, (redacted), a third story will take away our sea views and will undoubtedly start a chain of development	This is not a material consideration within this prior approval application.
The design is in keeping with the currant style of the property.	Noted
Not only is it modern and contemporary its a great way to ensure the integrity of the property is kept.	

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 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 7 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 terraced.

(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 :

To the front of the property there would be two windows within the additional storey facing out onto the public highway and rear gardens of No.s 44 and 44A Southwood Road. Although the second floor windows in the additional storey would offer some increased views, these views are not judged to significantly increase the existing views from the first floor windows.

To the west side the proposed additional storey is not considered to cause any significant harm to No.38 Meath Close in terms of overlooking, privacy or loss of light. On the east side there is a footpath thus the proposed additional storey is not considered to have an impact on this side.

To the rear of the property there would be a Juliet balcony and rear window within the additional storey facing out onto the small rear and the green. The second floor windows in the additional storey would offer some increased views, although these views are not judged to significantly increase the existing views from the first floor windows. For this reason this proposal is judged not to result in any harmful additional overlooking.

(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 :

The applicant's agent referred to appeal decisions in which the inspectors suggested the decisions should only refer to the architectural features of the host dwelling itself in isolation not its impact upon the street scene. This includes appeal reference APP/X1735/D/21/3269472 within Havant Borough. However, other appeal decisions have taken into consideration the architectural composition of the property within the street context. Recent examples include APP/W4325/D/21/3267451, APP/N4720/D/20/3265607 and APP/E2734/D/21/3266993. Therefore, it is considered reasonable to assess the proposal in relation to the existing property and the surrounding area.

The proposed addition of a third storey to this two storey property is judged against the visual aesthetic of the host dwelling. The existing streetscene is mainly comprised of two storey flat roofed properties. The application property is at the end of the terrace all of which have the same height.

It is considered the proposal would fundamentally alter the architectural composition of the property within this street context and consequently would have a harmful effect on the external appearance of the dwellinghouse as a result of its inconsistency with the remainder of the terrace. Therefore resulting in the property appearing prominent and incongruous as to unacceptably harm to the character and appearance of the local area.

*(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 proposal would fundamentally alter the architectural composition of the property within this street context and consequently would have a harmful effect on the external appearance of the dwellinghouse as a result of its inconsistency with the remainder of the terrace. Therefore resulting in the property appearing prominent and incongruous as to unacceptably harm to the character and appearance of the local area. This proposal is judged to be contrary to the design guidance as set out in paragraphs 124, 127 and 130 of the National Planning Policy Framework (2019). Of the above listed criteria which the local planning authority are allowed to take into account the scheme fails on design grounds. Accordingly, the prior approval is recommended for refusal.

Recommendation

That the Head of Planning be authorised to REFUSE Planning Application APP/21/00974 for the following reason:

1. The proposed alteration is considered to fundamentally alter the architectural composition of the property within its street context and consequently would have a harmful effect on the external appearance of the dwellinghouse as a result of its inconsistency with the remainder of the terrace. The proposal would therefore result in the property appearing prominent and incongruous such as to unacceptably harm the character and appearance of the local area, contrary to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

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