
Site Address:	22 Haslemere Gardens, Hayling Island, PO11 9SD		
Proposal:	Retrospective application for addition of single hipped and pitched roof garage to rear of property.		
Application No:	APP/21/01205	Expiry Date:	09/02/2022
Applicant:	Mr Porcher		
Agent:	Mr Murray	Case Officer:	Julie Terzoudis
	I J Murray Associates Ltd		
Ward:	Hayling East		

Recommendation: **GRANT PLANNING PERMISSION IN RETROSPECT**

1 Site Description

- 1.1 The application site relates to a single storey, detached bungalow with rooms in the roof at 22 Haslemere Gardens, upon Hayling Island. The dwelling incorporates a generous setback from the public highway and is served by vehicular access set to the south of the site which leads to a recently replaced detached garage, which is subject to this retrospective application.
- 1.2 The area is residential in nature comprising predominantly of detached bungalows, chalet style dwellings and low two-storey dwellings. It is noted that several dwellings set to the rear of the site are of an 'upside-down' nature.
- 1.3 Although there is variety in architectural style, the general pattern of development is consistent with detached dwellings on medium size plots, set back from the public highway. The spacing and boundary treatments give Haslemere Gardens a verdant and open spacious character.
- 1.4 The application site lies within an area identified as Flood Zones 2 and 3 by the Environment Agency, and as such is at a high risk of flooding.

2 Planning History

APP/14/00803 - Side and rear extension, roof extension and conversion, and division of building and plot into two semi detached dwellings., REF,17/04/2015
APP/18/01174 - Demolition of existing bungalow and erection of 2No. semi-detached two bed dwellings., REF,16/01/2019
APP/19/01169 - Demolition of existing bungalow and erection of 1No. three bed chalet bungalow., PERM,28/02/2020
APP/21/00070 - Variation of condition 3 of Planning Permission APP/19/01169 relating to materials (roof tiles)., PERM,12/04/2021

3 Proposal

The application seeks retrospective planning permission for a detached single-storey garage set to the rear of the site at 22 Haslemere Gardens. The garage incorporates a hipped and pitched roof form with a floor area of approximately 17 square metres, and is constructed of brick and concrete tiles to match those on the existing dwelling.

4 Policy Considerations

National Planning Policy Framework 2021
Planning Practice guidance 2016
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)

Havant Borough Local Plan (Allocations) July 2014
AL1 (Presumption in Favour of Sustainable Development)
AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements)

Submission Version Havant Local Plan
E1* (High quality design)

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

5 Statutory and Non Statutory Consultations

Councillor Leah Turner - Hayling East
No comments received.

Councillor M Wilson - Hayling East
No comments received.

Councillor R Raines - Hayling East
No comments received.

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: Three (3) letters were received with four (4) names objecting to the proposed development.

Comment	Officer Comment
This new building which purports to be a bungalow, it might look that way from the front, is anything but, from the rear; which faces my house. It is a two-story building with the room upstairs looking into my bedroom windows.	The existing bungalow was approved under a separate planning application. This current application relates only to the retrospective garage.
Now, recently I saw a man on the roof of the	Overhanging branches into a

garage they have recently completed, cutting off branches of my tree so he could finish roofing the garage.	neighbouring garden can be removed if the branches removed are on their side of the boundary.
The roof of which appears too tall and not in keeping with other garage roofs in the area.	See section 7 below for assessment.
References: Havant Borough Council Planning Guide and Supplementary Planning Documents Fact 1, that in the Planning Portal the maximum allowed height is 2.5 metres.	The measurement referred to is Permitted Development rules criteria. This application is for full planning consent and therefore is assessed against the national and local council planning policy criteria.
In your Planning Guide and SPDs, part 5.03 states 'consider the impact of the development on existing residents'.	The visual and amenity impacts of the development are considered in section 7 below.
There is a Precedent being set permitting this garage in its present form, in that there is not a single other development like it anywhere locally on Hayling ! This contradicts the guidelines regarding 'Regular Rhythm layout (table 4.1) and ' being in character'. Once again in (table 4.1) Height 'new developments should follow the typical pattern of existing properties'	Each application is assessed on its own merits and within the context of the locality. A visual assessment is found in Section 7 below.
In planning permission portal Section 1: Outbuildings including garages, 'Maximum height of 2.5 metres in the case of a building, enclosure or container within two metres of a boundary of the curtilage of the dwellinghouse.' This garage was constructed in a similar position to the original garage it replaces, the original garage having a corrugated flat roof and a maximum height around 2.25 metres. The new garage wall is marginally within 1 metre of my rear boundary and its Fascia and tiling protrudes the wall by approximately 200mm. Below taken from Miniguide for outbuildings on the planning portal 'If the outbuilding is within 2 metres of the property boundary the whole building should not exceed 2.5 metres in height.' 5.42, although referring to rear extensions (this garage could be a small house) states that a single storey building must not be within 1 metre of the boundary and a 2 storey building at 2 metres from the boundary.	The measurements referred in this paragraph relate to the Permitted Development rules criteria. This application is for full planning consent and therefore the development is assessed against the national and local council planning policy criteria instead.
A Precedent will be set allowing the rules to be ignored and all rear gardens will face the	The garage building is not considered to be of a scale to

possibility of being overshadowed by Outbuildings of unnecessary scale.	result in any significant overshadowing impacts to the neighbouring properties. Discussed further in Section 7 below. Any future outbuildings in the locality would be assessed on their own merits.
This garage has been built on the rear and side boundary adjacent to the rear of (redacted). It is a blight on the landscape and no other garages exist on Itchenor Road or Haslemere Gardens in this close proximity to the rear boundary.	See section 7 below for amenity and visual impact assessment.
It is clear that a garage was always going to be built on this property therefore it should have been to the front of the property and not at the furthest back location.	There is no policy requirement preventing a garage from being constructed to the rear of a site.
There must be a concern to the contravening of fire regulations having built on the side and rear boundaries and right of light issues.	The fire retardation construction requirements would be assessed through building regulations.
The garage needs to be demolished and one built closer to the highway (subject to planning approval).	There is no policy requirement for a garage to be constructed close to the highway.

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) Flood risk
- (v) Highways and 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.

7.3 The retrospective development was intended to be subject to a previous application APP/19/01169, however the omission of the detached garage from the 'description of development' within the application form placed ambiguity over its lawfulness as part of the approved development. For the avoidance of doubt, this separate retrospective application has been made (planning ref: APP/21/01205) solely for the replacement detached garage.

7.4 During the assessment it was also noted that there was an element of existing encroachment into the neighbouring site to the south at 20 Haslemere Gardens. Therefore, Certificate B has been signed and the relevant Notice served on the

neighbouring occupier for the required period. A revised site plan was submitted to illustrate the encroachment. No objection was made to the encroachment following the notification period.

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

- 7.5 The retrospective detached single garage building is set to the rear of the site beyond the main dwelling at a considerable distance from the public highway. No concerns are raised regarding any visual impacts to the existing character of the streetscene from the garage building.
- 7.6 The retrospective garage replaces a single detached garage upon a similar footprint and location. The previous garage building provided a floor area of approximately 28 square metres with a flat roof design reaching a height of 3.1m. Parapet elements set to the rear and front of the flat roof increased the height to 3.5m.
- 7.7 The new roof design is pitched and therefore incorporates a higher ridge height of 3.8m than the previous flat roof height of 3.1m. However, the replacement garage significantly reduced the floor area of the previous garage from 28 to 17 square metres, reducing the overall bulk and scale.
- 7.8 The newly constructed dwelling on site is significantly larger than the previous dwelling it replaced. The additional height and roof bulk from the replacement garage remains subservient to the larger scale of the replacement dwelling. The site is relatively large, and the rear garden can accommodate the scale of development without amenity impact to the private open space.
- 7.9 The garage was constructed with brick and concrete tiles to match the materials used on the replacement dwelling approved under application planning ref: APP/19/01169. The matching materials visually connect the detached garage building, allowing it to remain sympathetic to the character of the new dwelling. No overbearing or visual concerns are raised from the proposed replacement garage to the streetscene, nor to the main dwelling.
- 7.10 The overall design and appearance of the retrospective garage, despite the total increase in height from the previous building, is deemed appropriate in context to the main dwelling and the locality, meeting the requirements of Policy CS16 of the HBLP (Core Strategy, 2011). It is considered that the retrospective garage building does not result in a significant adverse impact on the visual amenity of the locality.

(iii) Effect on neighbouring properties

- 7.11 It is noted that several objections were made to the replacement garage, particularly regarding the change to a pitched roof form, the resulting increase in height, the repositioning on the neighbouring boundaries, and the subsequent loss of views.
- 7.12 The previous garage building maintained setbacks from the rear and side boundaries of approximately 1.0m. The replacement garage has been positioned upon the side southern boundary with a slight encroachment to the neighbouring property at 20 Haslemere Gardens. The relevant Notice for the encroachment was served and no objections were received. No amenity impacts would result from this level of encroachment. The garage is positioned with a 20cm setback from the rear boundary and therefore no encroachment has been introduced to the neighbouring property to the rear. No overshadowing or overbearing impacts result from the proximity to either

boundary.

- 7.13 The replacement garage is screened effectively on both sides by close-boarded fencing approximately 1.8m in height. A significant bamboo plant located within the neighbouring garden at No. 19 Itchenor Road provides further screening, and a large mature tree and outbuilding provides screening for the neighbouring occupiers at No. 21 Itchenor Road. Coupled with the existing shading from the boundary treatment and surrounding vegetation, the replacement garage cannot be considered to cause any additional overshadowing impacts over and above that which resulted from the previous garage.
- 7.14 The pitched roof form offers an eaves height of only 2.5m immediately adjacent the boundaries, which increases to 3.8m approximately 2.0m away from the rear and side boundaries. The garage is not of an excessive scale and is set a considerable distance from the surrounding dwellings.
- 7.15 The primary issue in the context of the locality is that the dwellings to the rear of the site are so called 'upside-down houses' and therefore the majority of daily use is undertaken on the first floor, with sleeping accommodation on the ground floor. The replacement garage building is significantly more visible and less screened when taking views from the upper level of these dwellings where most time is spent by the occupants. It is clearly unfortunate that the dwellings are of this style, and it is accepted that the pitched roof of the replacement garage results in a more visible structure from the upper levels of these dwellings than the flat roofed garage.
- 7.16 It is accepted that the newly available views from the upper levels of the upside-down houses to the rear may not be considered as pleasing. However, the direct impact is negligible and there is no loss of light or excessive overshadowing. Ultimately the loss of private views in any direction is not a material planning consideration and cannot be considered when assessing the acceptability of development.
- 7.17 The retrospective garage replaces a building of comparable scale, within a similar location and on a reduced footprint, and does not result in any residential amenity impacts significant enough to warrant a planning refusal.
- 7.18 Consequently, it is considered that the proposal will not appear overbearing or lead to overshadowing or overlooking, and would have a 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, 2011).

(iv) Flood risk

- 7.19 The application site is located within the Environment Agency's Flood Zone 3 which has the highest-level vulnerability to flooding. The site currently benefits from flood defences at Eastoke Corner. A proportionate Flood Risk Assessment for a householder development has been submitted in support of the application. The FRA notes that whilst the building is in a flood risk zone, no habitable occupancy is proposed and provides mitigation through the provision of finished floor levels at the same height as the previous garage, with all electrics to be installed at ceiling height running down to the sockets. It is considered sufficient mitigation is proposed and no flood risk concerns are raised.

(v) Highways and parking

- 7.20 The dwelling on site is a three-bedroomed property, requiring the provision of two on-site parking spaces as stipulated in the Havant Parking SPD 2016. The replacement garage offers a single internal car parking space with several external spaces accommodated through tandem parking forward of the garage. Therefore, no parking concerns are raised.

8 Conclusion

- 8.1 On balance, the scale, siting and design of the retrospective detached garage has a 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 PLANNING PERMISSION IN RETROSPECT** for application APP/21/01205, 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:

Location Plan Drw. No. A101 V6.2 BRs - received 9 December 2021
Proposed Block Plan Drw. No. A102 V6.3 BRs - received 15 December 2021
Existing Elevations Drw. No. A104 - received 9 December 2021
Proposed Elevations A103 V6.2 BRs - received 9 December 2021
Proposed Floor Plans Drw. No. A104 V6.2 - received 9 December 2021
Proposed Site Sections Drw. No. A107 V6.2 - received 9 December 2021
Proposed Garage Plans A112 V6.2 - received 9 December 2021
Proposed Street Views Drw. No. A105 V6.2 - received 9 December 2021
Proposed Rear Views Drw. No. A106 V6.2 - received 9 December 2021
Design and Access Statement - received 9 December 2021
Flood Risk Assessment - received 9 December 2021

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 The garage hereby permitted shall be retained and kept available for the

parking of cars at all times and shall not be converted to living accommodation.

Reason: To ensure the retention of adequate on-site car parking in accordance with the standards adopted in the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and to discourage parking on the adjoining highway in the interests of highway safety / local amenity and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.