
Site Address:	53 Penhurst Road, Havant, PO9 3NX		
Proposal:	Demolition of garage and replacement with two storey side extension and loft conversion.		
Application No:	APP/21/00412	Expiry Date:	01/06/2021
Applicant:	Mr Jason King		
Agent:	Mr Bramble-Stewart	Case Officer:	Selina Donophy
	GBS Designs		
Ward:	Bedhampton		

Recommendation: **REFUSE PERMISSION**

1 Site Description

- 1.1 The application site is a two storey semi-detached property and attached garage situated at the northern end of Penhurst Road. It has a brown tiled pitched and hipped roof and elevations of red multibrick. The site is level although there is a slight north/south decline to Penhurst Road. The site is open to the front with vehicular access leading to a concrete drive and an area of grass, with a 0.75 metre high wall to the south and a staggered 1 metre high wall to the north. The rear garden has a patio area, raised lawn, pond and a summerhouse and is enclosed by 1.8 metre high fencing to the north and south and a 1 metre high wall and mature shrubs to the west.

The adjoining two storey semi-detached property is to the south, the rear gardens of two pairs of semi-detached bungalows are to the north situated at a lower level to the application site, the rear garden of a property in Springfield Close is to the rear and a pair of two storey semi-detached properties are opposite. The area is of medium density with two storey detached and semi-detached properties and bungalows of a similar age, different styles and design.

2 Planning History

APP/19/00847 - Demolition of garage; two storey side extension incorporating hip to gable roof and loft conversion with dormers to front and rear., REF,03/12/2019

APP/20/00104 - Demolition of garage; two storey side extension incorporating hip to gable roof and loft conversion with dormers to front and rear. (Revised application)., REF,19/03/2020

APP/20/00211 - Demolition of garage; two storey side extension incorporating hip to gable roof and loft conversion with dormers to front and rear. (Resubmission of APP/19/00847)., REF,28/04/2020

3 Proposal

Demolition of garage and replacement with two storey side extension and loft conversion.

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

CS16 (High Quality Design)
CS17 (Concentration and Distribution of Development within the Urban Areas)

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

Emsworth Neighbourhood Plan Post Examination Version 2020

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

5 Statutory and Non Statutory Consultations

Councillor Gary Robinson

No comment

Councillor Kenneth Smith

No comment

Councillor Mark Inkster

No comment

Developer Services, Southern Water

No comment 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: 15

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 4

Comment	Officer Comment
We object to this application for the very same reasons that APP/19/00847 had the Refusal Conclusion of Excessively large overbearing presence to properties 85 & 87 Scratchfaceand Contrary to Policy CS16 of the Core Strategy 2011, the Havant Borough Council Design guide supplementary document 2011 & the National planning policy framework. Also APP/20/00211 had the refusal conclusion as above and the appeal decision by the Secretary of State that stated the Conflict with Policy CS16 of the HBC local plan (core strategy) 2011 causing unacceptable harm to the amenity of neighbours including reason of outlook. Therefore this proposed application has no change what so ever and we totally object to the proposal.	Please see 'Planning Considerations' section of this report.
Looking at the plans we do not raise any objections to the proposed development. The proposed work would be in line with other properties in the road. We do not feel it would encroach upon our privacy or outlook.	Comment received and noted.
I think that this extension should go ahead, it will only enhance the area and help to get vehicles off of the street. I truly cannot see how this extension is anymore an intrusion of privacy than some of the other building extensions that have been approved in our close proximity. I do not think we should stand in the way of improvement of an area.	Comment received and noted.
We are writing with regards to the planning application of 53 Penhurst Road Havant PO9 3NX. I think this extension will add appeal and be a nice large family home. We certainly do not object to this work being carried out. We have had a loft conversion ourselves which has added value and more interest for potential buyers in the future.	Comment received and noted.

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.

7.3 This is the fourth planning application put forward at this site of similar description .

The first application made was in 2019 reference APP/19/00847 for a hip to gable roof extension with dormers to the front and rear and a two storey side extension- this was refused due to impact on neighbour amenity. Specifically the reason for refusal related to the impact on nos 85 and 87 Scratchface Lane which are bungalows located to the north of the application site . The side boundary of no 83 Penhurst Road is located within very close proximity of these properties, particularly no 85 which has a small rear garden . The separation distance is already very close and a two storey building line within such close proximity which does not meet the 10 metre minimum set back requirements as specified in the Havant Borough Design Guide was judged to be overbearing and harmful to the private amenity space and rear windows of these adjacent dwellings. The reason for refusal is set out below :

1 . The proposed extension and dormers would by reason of their height, mass, bulk, design and proximity to the boundary result in an overbearing and excessive building bulk adjacent to the neighbouring properties at No's 85 and 87 Scratchface Lane, harmful to the visual outlook and amenities of the occupiers of these properties. The proposal is therefore contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, the Havant Borough Council Borough Design Guide Supplementary Planning Document 2011 and the National Planning Policy Framework.

The second application made was in 2020 reference APP/20/00104 for a very similar proposal to APP/19/00847 however this comprised of a reduced rear dormer and barn hip side extension roof. This was not deemed to mitigate against the previous reasons for refusal and was refused for the same reason as APP/19/00847.

The third application APP/20/00211 was a resubmission of APP/19/00847 . This was refused for the same reasons as APP/19/00847 and was subsequently taken to appeal by the applicants . This was dismissed by the inspector due to harmful impact upon the amenity of no 85 Scratchface Lane:

7. *In this case, because of its siting, height, gable roof form and overall bulk, the outlook from the rear habitable room windows of No. 85, and also the rear garden, would be visually dominated by the flank wall of the proposed extension. This element of the appeal scheme would be an overbearing form of development for the occupiers of No. 85. The different external materials and the inclusion of obscurely glazed windows would not break-up the unacceptable visual bulk of the proposed extension.*

10. *For the reasons given, it is concluded that the proposed development would cause unacceptable harm to the living conditions of the occupiers of the neighbouring properties, specifically the occupiers of 85 Scratchface Lane, and, as such, it would conflict with Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011. Amongst other matters, this policy refers to proposals not causing unacceptable harm to the amenity of neighbours, including by reason of outlook. Accordingly, it is concluded that this appeal should be dismissed.*

This current application reference APP/21/00412 is an amended scheme which comprises a two storey side extension with a partially hipped roof with a singular pitched roof dormer to the front roof slope and rear dormer which is reduced in size alongside velux rooflights to the front and side roof slopes.

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

- 7.4 As stated above this proposal comprises a two storey side extension with a partially hipped roof with a singular pitched roof dormer to the front roof slope and rear dormer which is reduced in size alongside velux rooflights to the front and side roof slopes. The two storey side extension It would provide a utility room, bathroom and kitchen extension at ground floor, extend the bedroom and bathroom at first floor level and the dormer would provide a large bedroom and en-suite within the roof space. IThe extension would be built on the northern side of the property and have a width of 1.8 metres, extending the whole depth of the property with a distance of 0.7 metres to the northern boundary. The rear dormer would extend across the existing and new roof of the property to a width of 5 metres with one pitched roof dormer of a reasonable size to the front alongisde one velux rooflight and another rooflight to the side elevation. The proposed extension would also feature a window at first floor level to the side elevation which would be obscure glazed .
- 7.5 The proposal is not dissimilar from those previously proposed and the previous appeal, the inspector did not specify impact on the streetscene specifically as an issue, although the side extension is deemed to appear somewhat cramped in what is already a small gap between no 53 and no 85 to the north. The rear dormer could be constructed under permitted development and the front facing pitched roof dormer is considered to be relatively modest in both size and general appearance.
- 7.6 Whilst there have been some improvements to the scheme in terms of impact on neighbour amenity with the semi hipping of the roof somewhat softening the impact of the proposal on no 85 Scratchface Lane , there would still be a two storey wall within very close proximity of the boundary shared with no 85. Whilst the design in general is deemed to accord with Policy CS16 of the Havant Local Plan, it would also be contrary to Policy CS16 which states that development should not: 'cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking'.

- 7.7 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

Impact on 85 Scratchface Lane

- 7.8 This property is a bungalow and lies to the north of the application site at a lower level, with the rear boundary adjacent to the application sites northern boundary. The proposed extension would replace the existing garage with a 1.8 metre wide two storey extension with wall height coming to approximately 5.5 metres, sloping away to form a semi-roof hip together with front and rear dormers with a distance of 0.7 metres between the northern elevation of the property and the shared boundary.
- 7.9 The extension runs along the majority of the rear boundary of this property and the resulting outlook from the rear elevation of this property would be of the side elevation which is predominantly brickwork, although there are two small windows serving the landing. The Havant Borough Design Guide SPD requires a minimum 10 metre separation distance between a dwelling facing a blank wall and the proposed extension does not meet this requirement.
- 7.10 It is judged that the proposal would not increase the level of overlooking to this property.
- 7.11 It is considered that the proposal would significantly increase the overall bulk of number 53 Penhurst Road and that this would be highly overbearing to the occupier of this No.85, particularly when using the rear amenity space. As such, the proposed development would have an adverse impact on this property which is contrary to the advice laid out in policy CS16 of the Core Strategy 2011 and the adopted Havant Borough Council Borough Design Guide.

Impact on 87 Scratchface Lane

- 7.12 This property is a bungalow and lies to the north of the application site at a lower level, with the rear boundary running along the western part of the application sites northern boundary. The proposed extension would replace the existing garage with a 1.8 metre wide two storey extension with a gable end to a height of 8.1 metres, together with front and rear dormers with a distance of 0.7 metres between the northern elevation of the property and the shared boundary.
- 7.13 Regarding potential increase in overlooking, the windows in the first floor and dormer closest to this property are to serve bathrooms. In addition a dormer of a substantial size could be built under permitted development and it is therefore deemed any increase the level of overlooking to this property, would not constitute a defensible reason for refusal.

Impact on 51 Penhurst Road

- 7.14 This property adjoins the application site to the south. The two storey side extension element of the scheme is to the north of the property and does not extend beyond the existing front or rear elevations of number 53. Whilst the new rear dormer could increase the level of overlooking to this property, a degree of overlooking already exists from the rear first floor windows and in isolation a rear dormer could be built under permitted development. The impact is therefore considered to be acceptable in planning terms.

Impact on 30 Springfield Close

- 7.15 This property is to the rear (west) of the application site and the rear dormer could be perceived to increase the level of overlooking. Whilst it is acknowledged this property is a bungalow, the proposal does not extend beyond the original rear elevation of the property and the back to back distance from this property and the application site meets the 24 metre distance recommended in the Havant Borough Council Design Guide SPD. Furthermore, a degree of overlooking already exists from the rear first floor windows and in isolation a rear dormer could be built under permitted development. The impact is therefore considered to be acceptable in planning terms.

Impact on 89 Scratchface Lane

- 7.16 Part of the southern boundary of the end of the garden of this property is adjacent to the western end of the side boundary of the application site. The proposal is approximately 13 metres from this boundary with the rear elevation of this property 14 metres away. Whilst the new dormer could increase the level of overlooking to this property, the window of the dormer serving the bedroom is situated towards the southern part. Furthermore, in isolation a rear dormer could be built under permitted development. The impact is therefore considered to be acceptable in planning terms.

Impact on 83 Scratchface Lane

- 7.17 This property is to the north east of the application site. The proposed extension does not project beyond the existing front elevation of the property and the closest elevation of this property is in excess of 25 metres away. It is therefore deemed any impact would be negligible.

Impact on 58 Scratchface Lane

- 7.20 This property is opposite the application site and the proposed extension does not project beyond the existing front elevation of the property. A distance of approximately 23 metres would be retained between the front elevation of this property and the front elevation of the application site. It is therefore deemed any impact would be negligible.

(iv) Parking

- 7.21 There would be an increase in the number of bedrooms from three to four, subsequently there will be a requirement for three on site parking spaces as recommended in the HBC Parking SPD (July 2016). A parking plan has been submitted as part of the application to reflect this.

8 **Conclusion**

- 8.1 The proposed two storey side extension, due to its size and siting would result in an overbearing presence on the occupiers of the neighbouring property at 85 Scratchface Lane. As such, the application is contrary to policy CS16 of the Core Strategy 2011 and the adopted Design Guide 2011 and is therefore recommended for refusal.
-

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **REFUSE PERMISSION** for application APP/21/00412 for the following reasons

- 1 The proposed two storey side extension, due to its size and siting would result in an overbearing presence on the occupiers of the neighbouring property at 85 Scratchface Lane. As such, the application is contrary to policy CS16 of the Core Strategy 2011 and the adopted Design Guide 2011 and is therefore recommended for refusal.