

Recommendation: **GRANT PERMISSION**

When the application was first submitted, a car port was proposed to the front of the site. Following negotiations this structure was removed from the proposal.

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

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
DM13	(Car and Cycle Parking on Residential Development)

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

E5	(Chichester Harbour Area of Outstanding Natural Beauty)
E1*	(High quality design)
E3	(Landscape and settlement boundaries)
E19	(Managing flood risk in new development)
E16	(Solent Special Protection Areas)
E14	(The Local Ecological Network)

Emsworth Neighbourhood Plan Post Examination Version 2020

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

5 **Statutory and Non Statutory Consultations**

Arboriculturalist - Final Comment - No Objection

While I am still no clearer on the reason for the car port to be located in that position beyond a preference from the applicant, It would appear that there is likely to be minimal disruption to the tree roots from this proposal and the health of the trees should not be compromised to any significant degree.

However, best practice would state that where there are alternatives to build outside the RPA of trees then these should be undertaken - although I do not raise objection, I do raise concern that this has not been undertaken.

If permission is given for this scheme, then please condition that the works are fully compliant with the submitted AMS and TPP and that if the car port is located in this position the hand dug holes are supervised by the Arboricultural Consultant.

Officer comment: the car port has been removed from the proposal.

Arboriculturalist - Initial Comment - No Objection

I raise no objection to the proposed works to the main dwelling.

With regard to the proposed car port - would it be possible to locate it further into the property and away from the trees as from the plan the relationship with the Oaks appears to be very close.

Chichester Harbour Conservancy - No Objection

The planning unit / red-line site is *adjacent* to the AONB protected national landscape.

Suggested considerations: -

- schedule of materials to be as indicated on submitted application forms / to match main house - provision of screen blinds to the rooflight and bifold doors when internal lighting is used
- no lighting provision to be installed to the detached and remote car port to the front of the site

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The adopted guidance requires a clear demonstration that no harm is caused to the AONB. The site's location within open countryside *and adjoining* the AONB is a key consideration.

The positioning of the proposals would have a localised impact on the character and appearance of the site and the immediate surrounds. The scale, design, and appearance with suitable construction materials would enable the proposal to sit unobtrusively within its setting. The proposal would have a limited visual impact on the AONB protected national landscape character.

The proposal is unlikely to have any significant impact or effect on the AONB in relation to wildlife conservation and protection.

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It is noted that the submitted proposal makes no acknowledgement of the sites location regarding the Area of Outstanding Natural Beauty (AONB). The AONB landscape includes open countryside, rural hamlets and villages, urban built-up market towns as well as the harbour waters, all of which are subject to a higher level of planning scrutiny and where development is subject to more stringent planning guidance to ensure that development respects and enhances the inherent qualities of such a sensitive location. The proposal has apparently been made with a level of understanding that would be considered inappropriate in this regard, in not recognising the national importance of the protected status of the AONB protected landscape as a material consideration.

Officer comment: the car port has been removed from the proposal

Councillor Leah Turner - Hayling East

No comments received

Councillor M Wilson - Hayling West Ward

No comments received

Councillor R Raines - Hayling East

No comments received

Countryside Access Team - No Objection

Havant Footpath 86 is on the eastern boundary of the site but appears to be unaffected by the proposals. We therefore have no objection.

Should permission be granted for this application, we request that the applicant is made aware of the following requirements through informatives:

- i. Nothing connected with the development or its future use should have an adverse effect on the right of way, which must always remain available for public use.
- ii. No builders or contractor's vehicles, machinery, equipment, materials, scaffolding or anything associated with the works should be left on or near the footpath so as to obstruct, hinder or provide a hazard to users.

Officer comment: informative recommended.

Ecologist - Final Comment - No Objection

I am content that the photos show that the soffit/fascia areas are all sound uPVC with no obvious gaps or crevices present. The roof materials, whilst traditional materials, appear sound with no obvious gaps or crevices. On that basis I would suggest that further investigation is not justified.

Ecologist - 1st Comment - Further Information Required.

The application is not accompanied by any ecological information and therefore I have carried out my own non-exhaustive desk-based assessment using the application documents, online sources and GIS mapping. The proposal is unlikely to result in significant ecological impacts. I would have no concerns in respect to the proposed car-port (this is situated in an area of existing driveway) and its potential impact on bat species. The proposal is unlikely to impact grassland orchid species which are present within nearby lawns. The single-storey elements of the extension are also unlikely to result in ecological impacts. The only uncertainty is the extent to which the proposed two-storey extension would affect features with potential to be used by roosting bats. From submitted photographs it appears that the roof is clad with traditional clay materials and may therefore provide suitable gaps and crevices for roosting bats.

I would therefore request some recent, good-quality photographs of the areas of roof materials to be affected. These should clearly show roof tiles, ridge tiles and soffit/fascia area. Some images of any roof void below are also required. These images should allow me to provide a more informed opinion. Should photos be inconclusive, or demonstrate that suitable bat access, egress or roosting features are present, then I would recommend that the applicant commissions a Phase 1 ecological survey of the site: this should include an assessment of the potential for the site to support protected species (to be provided by a qualified ecologist. The Chartered Institute of Ecology and Environmental Management (CIEEM) (www.cieem.net) holds a database of suitably-qualified ecologists.

A Phase 1 ecological survey will determine whether there is any evidence of protected species or whether the site offers habitat suitable for supporting protected species, and whether the proposed works are likely to result in impacts to those habitats or species. Unless the qualified ecologist is able to conclude that there is no reasonable likelihood of protected species being present (due to negligible potential) or that if present they are not to be impacted by the works, it is likely that further ecological survey work

(Phase 2 survey) will be required prior to determination of the application. The results of any further surveys should be used to provide an assessment of the likely ecological impacts of the proposed works and to inform any mitigation measures.

NPPF, Circular 06/2005 and Natural England Standing Advice on Protected Species, require that planning decisions are based on full, up-to-date ecological information and it is essential that all necessary survey, assessment and mitigation information is available to the LPA prior to determination, particularly in the case of protected species, which are a material planning consideration. This will enable the LPA to determine the application on the basis of full knowledge about the ecological impacts of the proposal and to ensure that any impacts can and will be mitigated, and are acceptable

Environment Agency

No response received

Hampshire Highways

As the application is for 5 dwellings or less and features no amendments to the site access, Hampshire County Council's standing advice should be referred to. The Highway Authority will therefore provide no direct comments on the application.

Natural England Government Team

No comments

Royal Society for the Protection of Birds

No response received

Waste Services Manager

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: 4

Number of site notices: 1

Statutory advertisement: 09/04/2021

Number of representations received: 7

The following is a precise of the objection received.

- Design not in sympathy with this Victorian property - character of property changed due to PD rights.
- Need to preserve the rich heritage of different types and size of building within the study area.
- Space around the building would not be maintained
- Design/size and massing inappropriate
- Level of glazing consideration- may lead to issues with bird collision
- The green winged orchid is prevalent and indigenous in the local area
- Bats in the locality
- Adverse visual impact on character and appearance of area and the public footpath
- Adverse visual impact on this sensitive coastal area and AONB
- Design contrary to local adopted policy and national guidance
- Design contrary to Village Design Statement, Chichester Harbour Management Plan, Chichester Harbour AONB Joint Supplementary Planning document
- Site abuts Chichester Harbour Area of Outstanding Natural Beauty (AONB), Mill Rythe creek and green space fields.
- Right of way obstructed - breach of agreement (*private matter between the parties involved*)
- Additional window a cause of overlooking to neighbouring property (*condition recommended this window is obscurely glazed*)
- Size not subservient to main dwelling - loss of outlook and visual amenity to the local environment and neighbouring properties.
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- Appears to exceed the 45 degree planning rule to a neighbouring property (*this has been checked and is not the case*).
- May increase flooding in the area, due to high water table - design should mitigate this
- The sea defences at the end of Victoria Cottage are currently lower than both adjoining properties - FRA inadequate - need for a full topographical survey.
- Car port adverse impact on protected trees and vehicles using road
- Ordnance survey maps not as accurate as digital maps (*the maps submitted are considered to be appropriate to determine the proposal*)

With the exception of the Officer's comments in brackets and italics above, the response to the representations made are set out in Section 7 below.

7 Planning Considerations

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 and the AONB
- (iii) Effect on neighbouring properties
- (iv) Parking
- (v) Trees
- (vi) Ecology
- (vii) Flooding
- (viii) CIL

(i) Principle of development

The application site is located outside of the defined urban area. However, the site is located within an area of existing development along Woodgaston Lane and is concerned with extensions to an existing detached dwelling, following the demolition of two conservatories. Policies AL1 and AL2 in the Havant Borough Council Local Plan (Allocations) July 2014 are relevant and Policy AL2 states that planning permission will be granted for developments within undeveloped gaps or non-urban areas that help to define the separate identity of settlements and prevent their coalescence where development relates to small scale householder development. The application is a householder development, which seeks to extend the property, following the demolition of 2 conservatory, which would not be disproportionate in size to the original dwelling. The development would not undermine the separate identities of settlements or result in their coalescence. As such, there is no objection in principle to the proposal, subject to compliance with other Development Plan Policies.

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

The site is located in a rural area adjacent to the Chichester Harbour AONB. This attractive property, which is not listed, sits within a large plot set back from the road and the foreshore to the rear, with a public footpath running along the boundary to the east.

The proposal consists of the removal of the existing conservatories to the front and rear, the erection of a two storey and single storey side/front extension. The two storey element would have a 3.5m depth and a 2.2m width to current front building line. A single storey extension to form a front porch, with a pitched roof, with a 2.8m depth and 3.1m width is also proposed.

The rear extension would be a flat roofed single storey structure - part 4m, part 6m depth from existing main rear elevation (glazed return), with an overhanging canopy to rear of 1m depth, with a height of 2.8. The width of the rear extension would extend 1m out from each indented side on the original building, but would not exceed the width of the main house

The proposed material would be render and painted masonry to match the existing property, with clay tiles to match the main roof, with bitumen with metal flashings (zinc facia and soffits) for the flat roof. The proposal would replace two existing conservatories to the front and rear of the property.

As to the front extension, a small two storey element is proposed which would not be forward of the existing building line, with the design considered to be in keeping with the main building. The design of the pitched roofed single storey porch would also be in keeping with the original dwelling. Whilst both of these elements of the development would be visible from Woodgaston Lane and the footpath to the east, they would not detract from the character and appearance of the area and the Chichester Harbour AONB.

The rear flat roof extension, which would incorporate a lantern and glazed doors to connect to the rear garden, is contemporary in style, which would replace an existing conservatory. This contemporary element would provide a distinction between the original cottage and the modern extension, whilst using materials to match on the walls. The proposal is considered not to detract from Victoria Cottage or from the character and appearance of the area and the Chichester Harbour AONB, which has a mixture of house designs and styles within the locality.

Having regard to the size of the site, the scale and mass of the development, is considered to be appropriate, providing adequate space around the dwelling, whilst still providing generous front and back gardens. It is noted that the Chichester Harbour Conservancy has not objected to the proposal, but has suggested two conditions which relate to: a material schedule and provision of screen blinds to the rooflight and bifold doors when internal lighting is used and no lighting provision to be installed to the detached and remote car port to the front of the site. Conditions for materials and screen blinds to the rooflights and bifold doors for internal lighting are proposed. As to the car port this has been deleted from the proposal, so no condition as to lighting is needed.

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 this sensitive rural location.

(iii) Effect on neighbouring properties

The neighbours most likely to be impacted by the proposal are those to the east and west. The boundary treatment for the site is a brick walls, part fencing, trees/vegetation, wooden gate.

The front extensions would not materially impact on the neighbouring properties to the west and east due to the separation distances from these properties. However, the insertion of a window is proposed at first floor on the east elevation to provide light for the stairs and on the ground floor of the east elevation of the porch. The former may give rise to a loss of privacy/overlooking to the dwelling to the east, which has a number of windows on its west elevation. Therefore, if permission is forthcoming a condition is recommended requiring this window to be obscurely glazed. As to the latter this would look onto a wall and fence, approximately 1.8m high and would not impact on neighbouring amenity. As to a new window on the ground floor to the dining/living room this is permitted development and would look out onto a wall/fence of approximately 1.8m in height.

As to the rear extension, this would be the same width as the main part, with a depth of 4m to the east and 6m to the west. With the exception of a glazed folding doors on the east elevation, which is set back approximately 4.3m from the eastern boundary, there would be no other openings on either side of the extension; the main opening being to the south, which would comprise of folding doors and a window. The separation distance to the eastern boundary from this opening would be approximately 5.2m. The boundary treatment to the east, at this point, is a wall approximately 1.2m high, with a footpath in between the property to the east. The boundary treatment along the eastern boundary for the property to the east comprises of a wall, fencing and hedging/vegetation. Any overlooking to the east and west would not be materially different to that currently experienced from the conservatory and to be expected in an area of residential development.

The single storey nature of the rear extension, due to the separation distances from the east and west boundaries (i.e. approximately 1.2m and 2.3m respectively), and that both immediate properties to the east and west are set back further to the north, would not appear dominant or overbearing to either of these two properties.

Consequently, it is considered that the proposal will not appear overbearing or lead to significant 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

DM13 of the Core Strategy states that residential development must accord with the standards set out in the Havant Borough Council Parking Supplementary Planning Document 2016. The dwelling currently has 3 bedrooms and this total will remain the same. There is adequate parking to the front of the property, which exceeds 2 spaces as set out in Havant's SPD.

(v) Trees

As to trees at the front of the site, they are protected by a Tree Preservation Order. Concern was initially raised by the Arboricultural Officer about the potential impact of the proposed car port on Woodgaston Lane. The car port in Woodgaston Lane has since been removed from the proposal. Therefore, there are no objection to the proposal from a tree perspective.

(vi) Ecology

The County Ecologist (CE) was consulted and is of the view that "The proposal is unlikely to impact grassland orchid species which are present within nearby lawns.". However, the CE sought additional information as to the possibility of roosting bats within the roof of the existing building. Following further information from the applicant, the CE is content that such roosting in the roof is unlikely and "...that further investigation is not justified. The proposal therefore accords with Policy C11 of the HBLPCS.

(vii) Flooding

The application would be classed as a minor development and according to the National Planning Practice Guidance (NPPG) unlikely to cause flood risk unless they would have an adverse effect on a watercourse, floodplain or its flood defences; they would impede access to flood defence and management facilities, or; where the cumulative impact of such developments would have a significant effect on local flood storage capacity or flood flows. Due to the minor nature of the development and the advice in the NPPG, the Flood Risk Assessment is considered to be a proportionate response and adequate for the proposed development. The Environment Agency (EA) has been consulted over the FRA. No comment has been received from the EA in respect of the consultation. The measures proposed in the FRA are:

"Mitigation Measures: • The new internal floor level will be no lower than the existing.

Resistance and Resilience Measures:

- The extension will be constructed with solid floor slabs and of water-resistant materials such as masonry and closed-cell insulation.
- All electricity sockets etc are above maximum water lines
- Plan allows for all electricity to be turned off in the event of an unprecedented flood height
- No persons of high risk live in the house, allowing for evacuation along the property entrance path and away from flooding to safety."

Following the demolition of the two conservatories the proposal would increase the footprint of the dwellinghouse. To the front of the dwelling this would fall within FZ1 and to the rear FZ2. Whilst there would be an increase in footprint created by the proposal it is not considered that this in itself would increase flood risk nor increase flood risk elsewhere to any significant degree. Taking a proportionate approach, the proposal is considered acceptable in terms of impact on flood risk and accords with Policy C15 of the HBLPCS, subject to a condition that the works proceed in accordance with the submitted FRA.

(viii) CIL

CIL is not liable for the proposal, as the size of the extensions in total are under 100 sqm.

8 Conclusion

- 8.1 The scale, siting and design of the proposal would have limited and acceptable impact on the neighbours and this sensitive rural location and is acceptable in parking, trees, ecology and flooding terms. The proposal is considered to accord with the development plan, when considered as a whole, and there is no objection from the Chichester Harbour Conservancy Board. The proposal is recommended for conditional approval.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/21/00030 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:

Proposed Site Location & Block Plan - Drawing No. 2015 -100B
Proposed Ground Floor Plan Drawing No. 2015-101B
Proposed First Floor Plan - Drawing No. 2015-102B
Proposed Elevations - Drawing No. 2015-103B
Proposed Sections - Drawing No. 2015-104B
Flood Risk Assessment by Toutlemonde Design dated 27/1/21

Reason: To ensure provision of a satisfactory development.

- 3 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, prior to first occupation of the extension hereby permitted the windows in the first floor on the east elevation facing east shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass which obscuration level is no less than Level 4 of the Pilkington Texture Glass scale (or equivalent) and retained as such thereafter.

Reason: In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 The development hereby permitted shall be carried out in accordance with the submitted Flood Risk Assessment produced by Flood Risk Assessment by Toutlemonde Design dated 27/1/21 and the following mitigation measures it details:

The new internal floor level will be no lower than the existing.

The extension will be constructed with solid floor slabs and of water-resistant materials such as masonry and closed-cell insulation.

All electricity sockets etc are above maximum water lines.

Plan allows for all electricity to be turned off in the event of an unprecedented flood height.

No persons of high risk live in the house, allowing for evacuation along the property entrance path and away from flooding to safety.

This mitigation measure shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measure detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants having due regard to Policies CS15 of the Havant Borough Local Plan (Core Strategy) 2011.

- 5 The external materials used shall match, in type, colour and texture, those of the existing building so far as practicable and those set out in the application form.

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.

- 6 Prior to the occupation of the rear extension hereby permitted, fully fitted working internal screen blinds for the roof lights and the folding doors shall be installed and thereafter retained and maintained.

Reason: In the interests of light pollution having regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) and the National Planning Policy Framework.