

**TOWN AND COUNTRY PLANNING
ACT 1990 (AS AMENDED)**

**STATEMENT OF
HAVANT BOROUGH COUNCIL**

**2 and 2a Eastoke Avenue, Hayling Island, PO11
9QW**

**Local Planning Authority Reference:
APP/15/00412**

**Planning Inspectorate Reference:
APP/X1735/W/15/3131429**

HAVANT BOROUGH COUNCIL



TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)

APPEAL BY Mr and Mrs FIELDS AGAINST THE DECISION OF HAVANT BOROUGH COUNCIL TO REFUSE TO GRANT PLANNING PERMISSION FOR first floor extensions, increase in roof height, extension to garage at No. 2A, replacement garage for conservatory at No. 2 with terrace above, new entrance and new vehicular access to Southwood Road at 2 and 2a Eastoke Avenue, Hayling Island, PO11 9QW

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LPA REF: APP/15/00412

1.0 THE APPEAL SITE AND ITS SURROUNDINGS

- 1.1 The site is a corner plot on the junction of Southwood Road and Eastoke Avenue. No. 2 Eastoke Avenue is a two storey house with its garden area fronting Southwood Road. There is a low boundary wall around its frontage. The vehicular access is currently from Eastoke Avenue. A single storey unit, 2A Eastoke Avenue is attached to the northern side of the property. This was originally part of No 2 but has recently been granted a Certificate of Lawful Use as a separate residential unit.
- 1.2 The area has a mixed residential character. Eastoke Avenue is a road of primarily single storey bungalows although some have dormer windows. The application includes a 'storey' plan which annotates a number of properties in Eastoke Avenue as 2 storey. However, nos. 1,3,6 and 10 are bungalows with windows in the roof. With respect to Southwood Road the majority of properties are two storey although the adjacent property no 81 is a chalet bungalow and not two storey as annotated on the 'storey' plan. On the south side of the road there are flats at three and four storey but not in the direct vicinity of the property. On the 'storey' plan no 72, opposite the site is annotated as 3 storey. It is in fact 2 storey with velux in the roof.

2.0 PLANNING HISTORY

There are a number of histories for this site but the most relevant to this application are:

88/51741/2 - Front extensions and single storey side extension. Permit Jan 1989. Condition imposed that 'The extension hereby permitted shall be occupied only in conjunction with the existing dwelling and at no time shall a separate dwelling be established'. The single storey extension referred to is the single storey element located on the north side of the existing property.

99/51741/004 - Conservatory which showed the whole application site edged red as 2/2A. Permitted.

APP/14/00867 - First floor extensions, increase in roof height, extension to garage at no. 2A, replacement garage for conservatory at No.2 with terrace above, new entrance and new vehicular access to Southwood Road. Withdrawn October 14.

APP/15/00010 - Application for CLU relating to the occupation of 2A Eastoke Avenue as a separate dwelling unit. Granted April 15.

APP/15/00066 - Retention of storage container. Refused April 15.

3.0 THE APPLICATION

3.1 The current property was originally a two storey dwelling with a single storey annex on the northern side. It is now occupied lawfully as two properties; the larger one being no 2 Eastoke Avenue which has 3 bedrooms. No 2a is a single storey dwelling with one bedroom. The proposal seeks to alter the division between the properties and proposes no. 2 as a two bedroom property and no 2a as a 4 bedroom property. It is therefore a single application for changes to two properties and would result in a pair of semi-detached properties that would read in the street scene as a single building.

3.2 With respect to the physical changes proposed the main alterations are:

No 2a

- forward extension to garage
- increase in footprint of property by assimilation of 4.3m in width from the footprint of no.2.
- alterations in the ground floor footprint on the frontage of the property to provide a metre extension on the family room and a metre recess to the front of the proposed entrance.
- the introduction of 3 bedrooms and an office on the first floor.
- the upper floor to be included in a roof of different elements. For the area accommodating bedrooms 3 and 4 the building is raised to provide an increase in wall height on the eastern side by a maximum of 3.5m with the accommodation provided with a roof sloping from south to north and with fenestration provided by a single oriel window in the eastern side. For the area accommodating bedroom 2 and the study the eastern rear wall is raised by 1.6m and provided with a curved roof sloping from west to east on the eastern side of the property and a flat roof on the western side.

No 2

- the two storey pitched roof with gable element to the front (south) is to be amended to a mixture of a roof sloping south to north with a maximum height of 7.39m with a flat roof element to the front of it at a height of 6.2m. The flat roofed element extends 0.6m further forward than the existing property.
- A garage with terrace above is proposed to the front of the property (south) and this element extends to the side boundary. It extends 5m further forward than the existing two storey property but in part replaces a conservatory.
- No windows are proposed in the eastern first floor elevation; the terrace has a wall on the eastern boundary with opaque glass above to a height of 4.4m.

The materials proposed for the changes to the two properties are a mixture of render and eternit weatherboarding with full height glazed elements. The sloping roofs are proposed as profiled grey aluminium sheeting.

4.0 PLANNING POLICY

4.1 National Planning Policy Framework

Havant Borough Council Borough Design Guide Supplementary Planning Document
December 2011.

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)

5.0 REPRESENTATIONS AND CONSULTATIONS

5.1 Letters were received from 2 addresses and a petition with 14 signatures from 8 properties. The representations made were:

1. Proposal as previous application that was withdrawn which was understood to be unacceptable.
2. The proposed size and scale is too large to be accommodated on the size of plot and will dominate and dwarf the properties in the adjacent area which are all single storey.
3. The proposals are out of keeping with the architecture of the adjacent single storey buildings and surrounding properties.
4. The design and access statement is wrong as it identifies single storey buildings as two storey.
5. There will be no garden areas for the properties.
6. Will impact on light into side window of no 4 Eastoke Avenue.
7. Concern over safety issue of enclosed rear area in event of fire.
8. New driveway would be too close to the junction with Eastoke Avenue; will be too close to bus stops and there is a lamp post in the middle of the proposed driveway. Therefore the driveway will add to highway safety issues at a dangerous junction.
9. Consultation process questioned.
10. Concern that boundary wall with no. 4 Eastoke Avenue is in the wrong place.
11. Concern over the visual and highway safety impact of the container sited in the front garden of no.2.
12. The development will cause overlooking and effect sun and daylight to adjacent rooms, balcony and gardens.
13. Concern over the precedent to be set.
14. Devaluation of adjacent properties.
15. Concern of impact of loss of gap between no 2 and 81 Southwood Road making the properties semidetached and removing maintenance margin.

5.2 The Highway Authority had no adverse comment to the application subject to a

condition that the new vehicular entrance is provided.

6.0 PLANNING CONSIDERATIONS

6.1 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) Impact upon the streetscene
- (iii) Impact upon residential amenity
- (iv) Highway considerations

(i) Principle of development

The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria.

(ii) Impact upon the streetscene

The current development is designed as a traditional two storey pitched roof dwelling with single storey pitched roof extensions on its northern side now utilised in part as a separate one bedroomed dwelling. It is a mixture of brick, tile hanging, render and painted brickwork with tiled roof. The proposal increases and alters the distribution of accommodation between the two dwellings so that 2a is altered from the single bedroom dwelling to a four bedroom dwelling. The consequence is that the height and bulk of unit 2a is increased and is no longer subservient to no 2. The amount of development proposed for the site is now considered excessive which erodes the spatial character of this corner plot that was provided by the single storey elements on the northern side. The neighbouring property at 4 Eastoke Avenue is a bungalow and the one to the east at 81 Southwood Road is a chalet bungalow. The amount of development now proposed on the application site is out of scale with these adjoining properties and will appear cramped and excessive in the street scene. It is therefore considered to be overdevelopment and contrary to policy CS16(c) of the Core Strategy. The proposal, whilst being extensions to two properties, is the equivalent to a new development in the street scene and is contrary to the principles of site massing and context within Section 4 of the Borough Design Guide. It is also contrary to the guidance for infill development as provided in 5.33 which states 'Infill development should look to the immediate site context for reference and respect the layout and character of the surrounding area, looking to immediate neighbouring properties in the first instance.'

The proposal also alters the design of the properties from a traditional pitched roof approach to a contemporary design with the inclusion of a large number of different sloping roof elements and flat roofed sections of varying height. The materials are also changed to a mixture of render, eternit boarding, glazing and sheet metal roofing. With the increase in roof heights, particularly on the northern side of the building, it will be a very prominent building on this corner site. Whilst there are contemporary designed properties on the southern side of Southwood Road, the properties on the northern side in the vicinity of the application site are of traditional design at a single storey or two storey height. Preliminary guidance, before formal applications were submitted, did not advise against a contemporary approach to the

development but it is considered that the approach needs to provide less mass and less disparate roof elements to be acceptable. The current proposal, because of the number of disparate roof elements is considered to result in an incongruous development in the street scene to the detriment of its character. It would therefore be contrary to policy CS16(c) of the Core Strategy. Furthermore the guidance in the Havant Borough Design Guide provides General guidance on extensions in para 5.35 and states ' Extensions should look to the existing building as the main reference point for appearance, materials and details ...'

(iii) Impact upon residential amenity

This section looks at the amenities of adjacent residents and that of future occupiers of the development. When the development was a house with rear extension used as an annex there was scope for all residents to utilise the southern front garden area. Whilst the annex area is now a separate dwelling it is only one bedroomed and whilst there is limited amenity space the use was established through a Certificate of Lawful Use and not through a planning application. However the redistribution of the accommodation within the development so that no 2 is a four bedroomed property will result in that unit being a family dwelling with no private amenity area. They will not therefore be provided with satisfactory living conditions and the development will be contrary to the principles of policy CS16 of the Core Strategy and the requirements in 5.12 of the Borough Design Guide that "All residents should have access to private amenity space". The guidance also seeks in para 5.13 to achieve garden depths of 10m for houses which is not provided in this proposal.

With respect to the occupiers of adjacent residential properties. The development results in an increased building bulk immediately on the boundary with no 81 Southwood Road in the vicinity of the conservatory and garden of that property. The conservatory roof of no.81 is clear glazed so affords views for the residents of the adjacent building. It is considered that the development will overpower that property. Furthermore windows are proposed in the eastern elevation of 2a to serve bedrooms 2 and 3 that will overlook the conservatory and garden of no 81. The development is therefore considered to be contrary to policy CS16 (e) of the Core Strategy. No 81 has also raised concerns over potential overlooking of first floor bedroom windows from the front terrace proposed for no 2. However, in view of the angles proposed and the screening proposed to the terrace by way of walling and opaque panels it is not considered that there would be an unacceptable impact in this respect.

(v) Highway considerations

The Development Engineer has not raised objection to the position of the new access onto Southwood Road. An objection is not therefore raised on this aspect. Whilst there is a lamp column to be moved this is a matter for the applicant to raise and resolve separately with the Highway Authority.

7.0 GROUNDS OF APPEAL

Unless otherwise stated it is considered that the above statement addresses the matters raised in the appellant's statement. Additional or explanatory statements are provided below by reference to the appellant's paragraph numbers:

3.4 Sections 4 and 5 of the Havant Borough Design Guide are the main sections of relevance to this proposal and specific paras are referred to in sections 6(i) and (ii)

above.

4.9 It is considered that it is the particular relationship with neighbouring properties that is most relevant in this case rather than the nature of developments approved in the wider area.

4.10 – 4.12 The development referred to replaced a previous hotel that was in part three storey, and flat roofed, on the main frontage. There was a return to Webb Lane at a single storey height and whilst this is replaced with the detail shown in appellant's para 4.11 it is adjacent to the siting of the actual bungalow, and not the private garden, of 48 Webb Lane and is separated from that bungalow by the drive of No 48. The case is not considered comparable to the proposal the subject of the current appeal. The development has been constructed and so may be viewed by the Inspector should he wish to view it.

4.16 The decision was made under delegated powers which requires the recommendation to be signed by the Team Leader of the Section; that person now being the Development Manager. However, the impact of the design, in all its aspects, on the immediate surroundings is a matter for consideration.

4.22 – 4.28 This issue is discussed in 6(iii) above and it is considered that the proposal would make 2a a four bed family house which would be expected to have a suitable level of private amenity space in this locality. Whilst the appellant may intend the dwellings to be occupied by an extended family there is now no planning requirement for this to be the case and the proposal must be assessed on the basis of the units being occupied totally separately with no such family linkage. It is not comparable to a dwelling with a single bedroom. That No 2a may be occupied as a separate dwelling has been established through a Certificate of Lawful Use and not through a planning application when the merit of such a proposal would have been considered.

4.32 - 4.35 As described in 6 (iii) above it is considered that the overlooking that is of concern is from bedrooms 2 and 3 of 2a and would be over the conservatory of 81 Southwood Road and not just over the gable end of that property. With respect to the offer for an obscure glazed condition to address any overlooking it is not considered acceptable, for the amenity of the occupiers, for a bedroom to have no outlook.

8.0 CONCLUSION

8.1 For the arguments provided in this statement it is considered that the development is unacceptable for the reasons detailed in the decision notice. The Inspector is therefore respectfully requested to dismiss the appeal.