
Site Address:	4 Athena Avenue, Waterloooville, PO7 8AE		
Proposal:	First floor rear extension. (Resubmission).		
Application No:	APP/16/00595	Expiry Date:	04/08/2016
Applicant:	Mrs L Blake		
Agent:	Mr J Merriman	Case Officer:	Bee Crawford
	Jeff Merriman Associates		
Ward:	Purbrook		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site is a modern two storey mid terraced property with attached garage to the front. It has a brown tiled shallow pitched roof and elevations of red multibrick with tile hanging at first floor. The site is level and the rear garden consists of grass, raised planters and a pation area, with a 2 metre high hedge to the eastern boundary, a 1.6 metre high fence to the southern (rear) boundary and fencing ranging in height from 1.3 metres to 2 metres to the western boundary.
- 1.2 The adjoining two storey terraced properties are to the east and west and open amenity land with the road beyond to the rear. The area is of medium density with modern two storey terraced houses of a similar age, style and design.

2 Planning History

APP/16/00230 - First floor rear extension, withdrawn 09/05/2016.

3 Proposal

First floor rear extension. (Resubmission).

The orginal resubmitted scheme included an amendment to the previsouly refused scheme by:

Following negotiaions with the case officer, amended plans were submitted during the course of the application which redcued the length of the proposed extension by 1m to 1.65m.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Local Plan (Core Strategy) March 2011
CS16 (High Quality Design)

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

5 **Statutory and Non Statutory Consultations**

None.

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: 2

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 2

Four letters of objection were received from two addresses commenting on both the original and amended plans submitted for the application, raising the following concerns:

- 6.1 The proposal would be detrimental to outlook and daylight of neighbouring properties.
Officer Comment - The originally proposed depth of the extension did raise concerns with officers as this would have had an adverse impact on light and outlook from neighbouring windows. However, since the proposal has been reduced in depth by 1 metre, this is considered to minimise the impact on light and outlook from adjacent windows to a reasonable level.
- 6.2 The proposal would be detrimental to health of adjoining neighbour.
Officer Comment - this is not a planning consideration.
- 6.3 The proposal would overshadow the garden area of number 3 Athena Avenue.
Officer Comment - the first floor extension would not extend past the rear building line of the neighbouring property. Furthermore the patio area is set in from the shared boundary by 1.5 metres and separated by a small ground floor projection. These factors reduce the the potential impact for overshadowing.
- 6.4 The extension would not be in keeping with the existing property.
Officer Comment - the proposal is subservient in scale and features a pitched roof and matching materials. It is therefore considered to be a sympathetic design to the main dwelling.
- 6.5 The extension appears to create a self-contained flat.
Officer Comment - the proposed accommodation is not self-contained and remains an integral part of the existing dwelling.
- 6.6 There are no existing first floor extensions to mid-terraced properties.

Officer Comment - This does not mean a proposal for an extension of this type is unacceptable. Whilst there are no other existing first floor extensions to any of the properties in the immediate area, each planning application is determined on its own merit.

- 6.7 The proposal would set a precedent resulting in future applications.

Officer Comment - see 6.6 above.

- 6.8 The extension would cause an uneven look in the rear aspect of the terrace of properties.

Officer Comment - the existing rear aspect of the properties is not uniform and currently steps in by approximately 1.5 metres for a third of the terrace.

- 6.9 The development would have an adverse effect on the layout and design and character of the estate.

Officer Comment - see 6.4 and 6.8 above.

- 6.10 The scheme is not achievable if the existing rear extension has to be demolished to facilitate the proposal.

Officer Comment - this is not a planning consideration.

- 6.11 The additional accommodation is required for the current occupier, this need would terminate if they were to move.

Officer Comment - this is not a planning consideration.

- 6.12 There is no reference to bedroom 2 on the amended plans.

Officer Comment - the scheme has been revised combining the two back bedrooms to create a larger bed-sitting room, resulting in one bedroom to the front of the property and a bed-sitting room to the rear.

- 6.13 The 45 degree angle should be taken from window reveal and not the mid point of the window as shown.

Officer Comment - section 5.43 of the adopted Havant Borough Council Borough Design Guide SPD recommends the 45 degree overshadowing zone is measured from the centre of neighbouring windows.

- 6.14 The revised scheme still appears to encroach the 45 degree overshadowing zone.

Officer Comment - the proposal would marginally fall within the 45 degree overshadowing zone.

- 6.15 The Council's design guide does not provide any information with respect to first floor rear extensions to terraced properties, therefore the scheme is outside the Council's own guidelines.

Officer Comment - the adopted design guide does not specially address extensions to terraced properties. For applications which propose such developments, the 45 degree rule which is included in the design guide is generally used to ensure that light and outlook from an extension does not have an unreasonable impact on the neighbouring properties.

- 6.16 Neighbouring authorities require the 45 degree angle to be measured from the window reveal.

Officer Comment - section 5.43 of the adopted Havant Borough Council Borough Design Guide SPD recommends the 45 degree overshadowing zone is measured from the centre of neighbouring windows.

- 6.17 If the existing ground floor extension needs to be demolished to support the first floor it is assumed a revised application would need to be made.
Officer Comment - this is not a planning consideration and would be considered at Building Control stage, however if there is a requirement for the ground floor extension to be demolished then an application for a full two storey extension would be required.
- 6.18 Light provided by rooflights in neighbouring extension (No. 5) will be compromised.
Officer Comment - The first floor extension would lie to the east of No. 5 and a degree of light may be compromised in the early part of the morning before the sun moves round. However, as the depth of the extension at 1.65m is fairly minimal, any potential impact in this regard would also be minimal and therefore not warrant a refusal of the application. Furthermore, the room which the roof light windows serves does receive light from other areas of glazing on the rear elevation.
- 6.19 Loss of privacy.
Officer Comment - A degree of overlooking from the first floor windows already exists, therefore it is considered there would be no additional loss of privacy.
- 6.20 Loss of existing views would adversely affect neighbouring amenity.
Officer Comment - as the extension has been reduced in depth, a reasonable amount of outlook has been retained.
- 6.21 Have any other similar schemes been approved in the borough.
Officer Comment - every application is determined on its own merits.
- 6.22 Plan relating to a first floor extension were in documents for this application and indicated a precedent.
Officer Comment - every application is determined on its own merits and the document in question was logged against this application erroneously.

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 streetscene
 - (iii) Effect on neighbouring properties
- (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 control criteria.
- (ii) Appropriateness of design and impact on the streetscene .
- 7.3 Due to the open nature of the rear of the site, the proposed extension would be visible from the public realm, the property being around 12 metres away from the highway. Whilst the new plans were an improvement to the scheme which was submitted and subsequently withdrawn under APP/16/00230, they did not meet the 45 degree overshadowing zone test as set out under sections 5.43 and 5.44 of the adopted supplementary planning guidance of the Borough Design Guide. Following further

negotiations, amended plans were received on 8 July reducing the depth of the proposal to 1.65 metres and accordingly falls within the realms of acceptability of the 45 degree zone by retaining a reasonable amount of daylight and outlook to and from the closest, first floor windows in both neighbouring property.

- 7.4 The roof is of a modest height with a low pitch and the side elevations of the extension have been set in from the property boundaries. Following receipt of amended plans, the design and appearance of the extension 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 proposal would not result in an adverse impact on the visual amenity of the locality.

(iii) Effect on neighbouring properties

- 7.5 Four letters of objection were received from two addresses commenting on both the original and amended plans submitted for the application. The concerns raised have been addressed in section 6 above.
- 7.6 The amended plans reduced the depth of the extension by 1 metre, which equates to almost one third of the original projection. Whilst it is acknowledged a depth of approximately 40 centimetres of the extension falls marginally within the 45 degree overshadowing zone, it is judged the resulting impact on the neighbouring properties would be acceptable in terms of a reasonable degree of light to and outlook from the neighbouring windows being retained. It is also noted the application site and adjacent properties benefit from an open aspect to the rear.
- 7.7 There are no windows in the side elevations of the proposal and it is deemed there would be no increase in the degree of overlooking which is evident from the existing first floor rear windows.
- 7.6 In summary, it is considered the amended plans have addressed the concerns to moderate the impact on the neighbouring properties and the proposal is unlikely to lead to unacceptable or additional overlooking. The scheme is judged to be acceptable, meeting the requirements of policy CS16 of the HBLP (Core Strategy).

8 Conclusion

- 8.1 The scale, siting and design of the proposal is considered to be acceptable and is recommended for approval.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/16/00595 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 Compulsary Purchase Act 2004.

- 2 The external materials used 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.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:

Location plan

Block plan

Drg No. 6201/100815-6 Proposed floor plan

Drg No. 6201/100815-7 Proposed elevations plan

Design and access statement

Reason: - To ensure provision of a satisfactory development.