
Site Address:	28 Kingfisher Close, Hayling Island, PO11 9NS		
Proposal:	Rear conservatory.		
Application No:	APP/15/00949	Expiry Date:	13/11/2015
Applicant:	Mr Ben Tuppin	Team:	Team 1
Agent:		Case Officer:	Emma Chisnall
Ward:	Hayling East		

Recommendation: **GRANT PERMISSION**

1 Site Description

28 Kingfisher Close is an end of terraced property with white rendered walls to the front and red brick walls to the back with a concrete tiled roof. The local area is purely residential and there is open space to the front of the property for two parking spaces.

The rear garden is North facing and the curtilage is separated by a 1.8m fence boundary to the West and a lower fence boundary of 1m to the East.

No 28 is the larger property when compared to its two terraced neighbours which are similar in design. Although the ground level is flat No 28 seems slightly raised in comparison to its neighbours at 28a and 29 and due to this coupled with the low 1m boundary it is easy to look across into neighbouring gardens.

2 Planning History

98/63136/000- Two storey side extension- Permitted

APP/13/00121- Single storey rear extension- Permitted

3 Proposal

Rear conservatory 3.5m X 3m X 2.5m. The Council received this application following an investigation into the development from an Enforcement Officer

4 Policy Considerations

National Planning Policy Framework

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)

Havant Borough Council Design Guide Dec 2011

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: 10

Number of site notices: 0

Statutory advertisement: Not applicable.

Number of representations received: 1

Ms Elaine Bowers 28A Kingfisher Close

Summary: The conservatory has not been built onto the rear of No 28 but on No 28B which is incorrect on the plans submitted. Any structure there is going to cut out some of the evening sun that gets into the garden at No 28A and a structure made of wood and plastic cladding cannot be classed as a conservatory.

Comment: A site visit has taken place in order to review the retrospective conservatory which has already been part built. The applicant starting building the conservatory believing that planning permission was not required due to the size of the conservatory falling within permitted development rights. However as No 28 had a previous rear extension in 2013 it was confirmed planning permission would be required for the conservatory so that amenity space and appearance could be reviewed.

The proposed materials for the conservatory are common within conservatory designs and will be constructed with a mixture of timber and plastic cladding with polycarbonate sheeting. It is considered that this is not of poor design and would therefore be acceptable for the proposal.

The size of the conservatory was evaluated to assess the amenity space it left the residents of No 28 and if the proposal would lead to a loss of amenity on its neighbours. The size was found to be appropriate with the amenity space left available to No 28 and it was made clear to them the implications of using some of the limited garden space available for the conservatory. The conservatory is considered small enough to not cause any loss of amenity to its neighbours. In regards to the loss of light Ms Bowers is concerned about the conservatory was measured to see if at a 45 degree angle if it would impact the light reaching No 28a and it was considered that it would not.

It has therefore been reviewed that the above concerns raised by Ms Bowers would not be substantial enough to cause a refusal on the application for the conservatory.

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) Impact upon the character of the area
- (iii) Impact upon residential amenity

(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. The conservatory is a small and neat design but it is prominent from the East due to a lack of screening.

(ii) Impact upon the character of the area

Within the local area there is evidence of other properties which have built similar connecting conservatory's to the rear of the property like No 28 are proposing. One example which is close by is the neighbour at 29 Kingfishers Close which is situated at the opposite end of the terraced block.

Both No 28a and 28 have previously extended their properties to the rear in the past whereas No 29 has not. Therefore the conservatory at No 29 is in line with the rear of the properties at No 28a and No 28. Due to the past extension to No 28 and now the addition of the conservatory, the conservatory does stick out as an addition to the property and does over-look neighbouring properties to the East. However due to its size and the other examples within the immediate area it would be supported that the proposal would not impact negatively on the character of the area.

(iii) Impact upon residential amenity

The dwelling to the West of No 28 is adequately set back from the development and well screened by a 2m fence boundary and would not be affected by any amenity loss resulting from the conservatory.

No 24 is situated to the North of the dwelling/conservatory and have one obscured glazed window in the elevation which looks into the open space of No 28. Due to the window being obscured glazed and no further windows it is not considered the conservatory would cause any loss of amenity to No 24.

The conservatory has been built to the rear West side of No 28 and is proposed to be 3.5m wide. Due to the size of the conservatory a space of 3.5m will be left between the conservatory edge and No 28a's boundary. It is because of this distance that the conservatory should not contribute to any loss of light or create shading on the neighbouring property at No 28a and this has been supported by the outcome of measuring the 45 degree angle against the conservatory's furthest point.

8 Conclusion

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

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/15/00949

(A) Subject to the following conditions:-

- 1 The development must be begun not later than three* years beginning with the date of this permission.
Reason: Reuired to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The external materials used shall match 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 Core Strategy 2011 which forms part of the Local Development Framework and Planning Policy Statement 1.
- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:
Ground Floor Plan: Plan Number 1
Elevations and Roof Plan: Plan Number 2
Conservatory Plan: Plan Number 3
Reason: - To ensure provision of a satisfactory development.