
Site Address:	26 Douglas Gardens, Havant, PO9 5TG		
Proposal:	Two storey side extension and porch to front elevation		
Application No:	APP/15/00385	Expiry Date:	03/07/2015
Applicant:	Mr K Winszewski	Team:	Team 1
Agent:	Mr D P Manns	Case Officer:	Stephen Andrews
	D M Designs		
Ward:	Bondfields		

Recommendation: **REFUSE PERMISSION**

Site Description

The application site is made up of a two storey semi-detached dwelling of buff brick and brown pantile construction. The dwelling has a rear conservatory and on site parking to the front and side.

The dwelling sits at the end of Douglas Gardens, within a prominent position. There is a children's play area and public amenity space beyond the eastern boundary of the site (with several TPO trees).

The area is residential in nature and comprises of similar style semi-detached and terraced dwellings.

2 Planning History

None

3 Proposal

Planning permission is sought for the erection of a two storey side extension measuring 2.3m in width, 7.5m in depth and 7.8m to ridge height (0.1m below the ridge of the host dwelling). There are no windows shown in the flank elevation of the extension.

The development includes the creation of a porch, 2.3m in width and 1.3m in depth. The proposal would incorporate the existing gable feature over the front door.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Local Plan (Core Strategy) March 2011

CS16 (High Quality Design)

DM8 (Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist - Objection

The potential pressure to prune the mature Horse Chestnut (T1 in the Alderwood report) to the western aspect would be excessive and extensive when looking to maintain a reasonable gap between foliage and the proposed built structure. The extent of these works would unbalance the canopy of the Horse Chestnut to a significant degree where by public amenity would be detrimentally affected.

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: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

Summary: No objection provided the extension does not result in the loss of the Horse Chestnut tree.

Comment: The development is considered to be prejudicial to the integrity and health of the adjoining Horse Chestnut tree protected by a Tree Preservation Order (TPO).

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) Impact on the character and appearance of the area
- (iii) Impact on neighbour amenity
- (iv) Impact on trees

(i) Principle of development

The site is within the urban area of Havant, therefore the proposed development is acceptable in principle subject to satisfying the criteria of the policies listed in section 4 of this report.

(ii) Impact on the character and appearance of the area

The proposed two storey side extension, although extending across the entire width of the plot and not overly subservient to the host dwelling, is considered to be acceptable in this instance. This is because there is significant open space to the east of the site which breaks the built form of the site and the area.

Therefore having regard to the individual and specific characteristics of the site it is considered that the two storey extension, as proposed, could be created without causing unacceptable harm to the visual amenity, prevailing character or openness of the site and wider residential area.

The porch addition is considered to be acceptable in scale and design and would suitably integrate with the host dwelling and residential area.

The development would therefore accord with the relevant principles and objectives of policy CS16 of the Havant Borough (Core Strategy) Local Development Framework 2011.

(iii) Impact on neighbour amenity

The two storey side addition would be positioned to the east side of the dwelling as such there would be no impact on the residential amenities of adjoining neighbour 24 Douglas Gardens.

Other nearby dwellings to the north and south of the development are in excess of 24m away. This separation distance is considered to be sufficient to protect neighbour amenity. This is further aided by the lack of a direct view of the proposal from neighbouring dwellings and existing boundary screening, particularly to the rear of the site.

The porch addition, by reason of its scale and position would not harm neighbour amenity.

The development would therefore not result in unacceptable harm to neighbour amenity and would accord with the relevant principles and objectives of policy CS16 of the Havant Borough (Core Strategy) Local Development Framework 2011.

(iv) Impact on trees

The proposed two storey extension is within 5m of a Horse Chestnut Tree beyond the eastern boundary of the site. The tree is covered by a preservation order (TPO) by reason of its significant public amenity value and sits within an amenity space for the benefit of local residents.

The TPO tree is one of a group of mature trees, that collectively offer a significant verdant space within the immediate residential area and create an open park setting for the residential estate. The amenity value of the area and the tree identified is therefore significant and warrants its protection.

The Council's Arboricultural Officer has visited the site and considered the development proposed in relation to the siting of the tree. He has advised that the development proposed would encroach within the canopy area of the tree and would result in the need for excessive and extensive pruning to maintain a reasonable gap between foliage and the extension, which would unbalance the canopy of the protected tree to the detriment of its amenity value, form and health.

The accompanying tree report prepared by 'Alderwood Consulting Limited' acknowledges the encroachment into the canopy area and the need for continual pruning. However, the weight afforded to the harm that would be created differs from that asserted by the Council's Arboricultural Officer. However it is pertinent to note

that the author of the report was not aware of the TPO status of the trees identified (paragraph 2.2 of the report). As such the assessment and conclusions reached have not had full regard to the criteria and protection in place for such trees and the need to ensure that all works are in the best interests of the health and well being of the tree and to ensure its significant public amenity value remains.

It is acknowledged that the proposed two storey side extension will encroach into the Root Protection Area of the Horse Chestnut tree. However, the mitigation proposals for technical foundations and construction methods are adequate to afford the required levels of protection needed for this tree to remain unharmed. It is however essential that the mitigation proposals are secured by planning condition should the application be permitted to ensure the development accords with the details provided.

The development would therefore result in a negative impact on the adjacent Horse Chestnut Tree, protected by a Tree Preservation Order to the detriment of its health and well being and its significant public amenity value. The development would therefore conflict with policies CS16 and DM8 of the Havant Borough (Core Strategy) Local Development Framework 2011.

8 Conclusion

The development by reason of its scale, design and relationship to immediate neighbours would not result in matters prejudicial to neighbour amenity or harm the prevailing character and appearance of the area. However, the proximity of the development to the Horse Chestnut tree to the east protected by a Tree Preservation Order would result in unacceptable harm and potentially the loss of a significant public amenity tree. There would also be the pressure to severely cut back the overhanging tree to an unacceptable degree should planning permission be granted. The application is therefore recommended for refusal.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **REFUSE PERMISSION** for application APP/15/00385

(A)

(B) for the following reason

- 1 The proximity of the two storey extension to the Horse Chestnut tree to the east, protected by a Tree Preservation Order, is such that the development would encroach within the Root Protection Area of the tree and the trees canopy. As such the proposal would result in the pressure to prune this tree to the western aspect to an unacceptable and harmful degree in order to maintain a reasonable gap between foliage and the extension. The result would be the loss of or the significant reduction of the Horse Chestnut trees public amenity value. The development would therefore conflict with policy CS16 section 1 (a) and (b) and policy DM8 of the Havant Borough Core Strategy 2011 and the National Planning Policy Framework and Planning Practice Guidance.

