
Site Address:	55 Deverell Place, Waterlooville, PO7 5ED		
Proposal:	Demolition of existing conservatory and erection of single storey rear extension.		
Application No:	APP/15/01209	Expiry Date:	18/12/2015
Applicant:	Mr & Mrs Wilson	Team:	Team 1
Agent:		Case Officer:	Heather Lealan
Ward:	Purbrook		

Recommendation: **REFUSE PERMISSION**

1 Site Description

- 1.1 The application site comprises a two storey modern detached house with a large parking area to the front. To the east of the dwelling is the rear garden of 21 Bushy Mead; to the west of the site is an infill development of two chalet style detached dwellings. The majority of dwellings in Deverell Place are either bungalows or chalet bungalows. To the rear (south) of the plot is 19 Bushy Mead, a two storey semi-detached property with a rear garden 12m deep. The site lies within the defined development area for the purposes of the development plan.
- 1.2 Within the application site a rear conservatory has been erected of 3.5m approx. depth without the benefit of planning permission.

2 Relevant Planning History

00/65045/000

Demolition of existing dwelling and construction of replacement 3 bedroom detached dwelling with garage - Permitted

3 Proposal

- 3.1 Demolition of existing conservatory and erection of single storey rear extension. The proposed rear extension is 4m in depth, 6m in width and 3.66m (approx) to the top of the mono-pitch roof. Such an extension would generally be permitted development, however when planning consent was granted for this dwelling (00/65045/000) the following condition was applied;

Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extension, building or structure permitted by Part 1, Classes A and E of the 1995 Order, as amended, shall be erected within the curtilage of the site without the prior written approval of the Local Planning Authority.

Reason: *In the interests of amenity in view of the limited size of the rear garden.*

4 Policy Considerations

National Planning Policy Framework 2012

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: 6

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: None

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 on application site
- (iii) Impact upon the streetscene
- (iv) Impact upon neighbouring amenities

(i) Principle of development

7.2 The application site is located within a defined urban area for development plan purposes. The extension of this dwelling on the site is therefore considered appropriate in principle, subject to consideration of detailed development control criteria, which include the provisions of the Borough Design Guide SPD as well as Core Strategy policies which promote high quality designs which respect the amenity of the locality and local residents.

(ii) Impact on application site

7.3 The design of the proposed mono pitched rear extension is appropriate to the host dwelling provided suitable materials are used in its construction. That said; the proposal would result in the loss of a significant amount of the private rear amenity space currently connected with the existing dwelling. The block plan submitted with the application is the most appropriate plan from which to take measurements and the

remaining private outside amenity space would be approximately 5.5 metres (approx) in depth and thus would not meet the criteria of the Borough Design Guide SPD in this regard (Section 5.1 advises that a minimum garden depth of 10m should be achieved).

- 7.4 In this regard consideration has also been taken of appeal decision APP/X1735/A/136/2201482 relating to land adjacent 67 Bondfields Crescent, Havant. Whilst the two sites are not locationally similar, they raise similar issues in terms of what level of private amenity space should be provided for a family home. In the case of land adjacent 67 Bondfields Crescent, the Inspector dismissed this appeal for an additional 2 No bedroom dwelling on the grounds that the proposed garden of 35 sqm, 5m in depth, would not be of sufficient size to meet the future requirements of a family home. The Appeal Inspector found that *"...the proposed development would fail to provide an adequate level of garden provision and would therefore conflict with the design guide which seeks, amongst other credit, to ensure that new housing is accompanied by adequate garden area."*
- 7.5 In this case the remaining garden area to No.55 Deverell Place would be 44sqm and, although this is 9 sqm larger than the appeal site at land adjacent 67 Bondfields Crescent, No.55 is a 3 bedroom dwelling and therefore likely to have more occupants than the scheme dismissed at appeal.
- 7.6 It is noted that the remaining garden size would be comparable to others in the immediate vicinity. In particular, the dwellings to the eastern end of the road are single storey dwellings set in very small plots. However, these dwellings are modest bungalows and the application site consists of a good sized family home, which should provide an appropriate minimum level of outside amenity space as defined the adopted Borough Design Guide (Section 5.1). Currently, the level of rear amenity space is in keeping with the dwellings to the south of the site that are family homes and a more appropriate comparable to the application site.
- 7.7 It is noted that a rear conservatory of some 3.5m (approx.) and 4m in width has been constructed on the site, without the benefit of planning permission. However, it has not been established how long this conservatory has been erected for and it is not considered expedient to take any enforcement action against the structure as it provides a reasonable compromise to the submitted scheme subject of this report. The NPPF requires Local Authorities to work with Applicants to achieve a sustainable compromise to unacceptable schemes, the applicant advised the Case Officer during the site visit that the conservatory was not appropriate for use as a primary room, as was their intention with the proposed extension. The Case Officer advised the Applicant that an application which sought to replace this conservatory with a more useable year round structure would be likely to be more acceptable and receive officer support. Whilst there is still a good degree of garden lost through the erection of the conservatory, there still remains a section to the side where the applicant has a 'whirly gig' clothes drier and space remains to the rear section of the garden for a table and chairs and children's trampoline. Such a compromise would be sustainable as it allows the occupiers to adjust their home to better meet their current needs without compromising the needs of any future occupiers.
- 7.8 As submitted, if a 4m deep rear extension was constructed cross the full width of the dwelling house, it is considered that it would provide insufficient and poor quality amenity space for the current and any future occupiers of the dwelling, and would result in a cramped and congested layout of the site, to the detriment of the character and appearance of the application site. A planning condition was applied to the initial

planning permission for the redevelopment of this site that removed permitted development rights for extensions for this reason. As such the proposal would not be in accordance with section 5.1 of the Borough Design Guide or policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011. Policy CS16 states that, "*planning permission will be granted for development that is designed to a high standard, which helps to create places where people want to live, work and relax*". It is considered that this proposal will result in such a small area of private amenity space that the proposal, if constructed, will be to the detriment of this family sized home in the long term.

(iii) Impact on street scene

- 7.7 The proposal is located to the rear of the dwelling and as such would not be visible from the general visual amenities of the streetscene.

(iv) Impact on neighbouring amenities

- 7.8 The 4 metre extension the subject of this report would accord with normal permitted development (PD) rights had they not been removed. The PD rights were removed due to concerns with regard to the limited size of the rear garden and not potential impact on the amenities of any occupiers of the surrounding dwellings. It is considered that there is sufficient separation distance from the application site to all of the adjacent dwellings and as such the proposed rear extension would not impact the amenities of the occupiers of these dwellings to a detrimental extent; furthermore no objections have been received.

8 Conclusion

- 8.1 When considering this application regard has been paid to local and national planning policy. The National Planning Policy Framework (NPPF) states that Local Plans 'should develop robust and comprehensive policies that set out the quality of development that will be expected for the area'. It is contended that this requirement is met by Policy CS16 of the Local Plan and the Borough Design Guide SPD and that the proposal does not meet appropriate criteria in terms of the proposed site layout in that the proposal would provide insufficient and poor quality amenity space for the occupiers and any future occupiers of the dwelling. The proposal would therefore be contrary to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, the Borough Design Guide SPD 2011 and the National Planning Policy Framework 2012.
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9 **RECOMMENDATION:**

That the Executive Head of Planning and Built Environment be authorised to **REFUSE PERMISSION** for application APP/15/01209 for the following reasons:

- 1 The proposal would result in a remaining rear garden depth of 5.5m which would provide insufficient and poor quality amenity space for the current and any future occupiers of the dwelling. The remaining garden would be significantly less deep than the minimum 10m garden depth as recommended within the Council's adopted Borough Design Guide Supplementary Planning Document leading to a cramped and congested layout of the site. The proposal would therefore be contrary to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, the Borough Design Guide SPD 2011 and

the National Planning Policy Framework 2012.