
Site Address:	5A Mill Lane, Langstone, Havant, PO9 1RX		
Proposal:	Single extension to west elevation (amendment to previous approval for two storey extension APP/13/00493) and two storey extension to east (front) elevation. Removal of 1No Walnut (T3), subject to TPO 1284.		
Application No:	APP/15/00360	Expiry Date:	12/08/2015
Applicant:	Mr Holton	Team:	Team 1
Agent:	Mr Dunks	Case Officer:	Rachael McMurray
Ward:	St Faiths		

Recommendation: **REFUSE PERMISSION**

1 Site Description

The property is a domestic residential 3 bedroom house constructed in 1998 with brick walls under a clay tiled roof. Part of the property has attractive vertical clay tiling above first floor level which is typical of the Hampshire area. The property is sited within the Mill Lane Conservation area. The property is served by its own tree lined private drive from Mill Lane which also serves an adjacent property to the south "Tidelands" and provides access to part of 5 Mill Lane. The front garden to the south extends for approximately 100 metres to the foreshore of Langstone Harbour, and the foreshore for the width of the southern boundary down to the mean high water mark is also part of the property. The grounds border the Hayling Billy Trail along their entire eastern side. The property was originally constructed under a planning condition to raise the ground floors by just over 1 metre as a precaution against flooding although there is no history of flooding on the site.

2 Planning History

APP/13/00249

Part two storey, part first floor side extension incorporating conversion of garage and store into living accommodation. Withdrawn 16/05/13

APP/13/00493

Part two-storey, part first floor side extension incorporating conversion of garage and store into living accommodation. (Revised application). Approved - 16/7/13

APP/15/00159

Fell 1No. Walnut Tree (T3) and replace with similar species, subject to TPO 1284.
Refused - 2/4/15

An appeal has been made against the Council's decision and is currently awaiting a decision.

3 Proposal

Single storey extension to the west elevation (amendment to previously approved two-storey extension (APP/13/00493) and a two-storey extension to the east (front) elevation. Removal of 1No. Walnut (T3) subject to TPO 1284.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS16	(High Quality Design)
DM14	(Car and Cycle Parking on Development (excluding residential))
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

DM20	(Historic Assets)
------	-------------------

Listed Building Grade: Not applicable.

Conservation Area: Mill Lane (Langstone)

5 Statutory and Non Statutory Consultations

Arboriculturalist:

The proposals for an extension to the main dwelling on the eastern aspect would require the removal of a mature Walnut to facilitate development.

The Walnut is a mature tree exhibiting reduced vigour and vitality, but acceptable and to be expected for its age class. The tree is visible from the Hayling Billy line and also from the un-adopted entrance path (vehicular and foot) leading to 5A and 4 Mill Lane.

There are no sound arboricultural reasons to remove this tree and there is an extant appeal to remove this tree following on from a recent application by the owner to fell.

In this instance I would object to the loss of this tree.

Conservation Officer:

Assessment

It is considered that the footprint of the extension would be large when viewed in the context of the original dwelling. The size, design and orientation of the structure would seem excessively dominant and out of character with the host dwelling and the wider character of the conservation area. Future development should reflect local character by relating to the form and scale of existing building and the conservation area.

As such, the detailing with regard to the massing, design and orientation would fail to preserve or enhance the character of the conservation area and as such is contrary to policy.

Refuse:

The proposed extension, by reason of its design, scale, massing and siting, is considered to unacceptably harm the character of the conservation area. As such the proposed extension is considered to be contrary to policies CS11 and CS16 (1a) of the Havant Borough Core Strategy (2011), policy DM20 of the Havant Allocations Plan 2014 and national guidance contained in the NPPF

Langstone Harbour Board:

No objections

Development Engineer - Highways:

No comment

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: 13

Number of site notices: 1

Statutory advertisement: 29/05/2015

Number of representations received: 4

Summary of Objections:

- i. No justification for now wanting to remove the walnut tree when an application for this was recently refused?
- ii. Size and extent of construction traffic to service this site will cause severe disruption in Mill Lane. (NB: This is not a material planning consideration).
- iii. Concern over future use of dwelling for business use.
- iv. If a single storey extension is built instead of a two-storey extension as approved, then a loss of privacy will continue to occur due to the removal of the Cypress Trees.
- v. The two-storey front extension will result in a loss of privacy and be intrusive and overbearing.
- vi. Over 36 trees in total have been removed from the site, the Walnut tree should therefore remain protected.

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) Appropriateness of the design
- (iii) Impact upon the Mill Lane Conservation Area
- (iv) Impact upon the neighbouring properties
- (v) Impact on trees
- (vi) Parking

(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) Appropriateness of the design

The proposed single storey extension would feature a pitched roof and would be sympathetic to the design and character of the main dwelling. The proposed front

extension would be subservient in height and extend out from the front building line by 8.5m.

The Council's Conservation Officer considers that the extension would be large when viewed in the context of the original dwelling and the size and orientation of the extension would make it seem excessively dominant and out of character with the host dwelling.

However, given that the design of the main dwelling is not particularly balanced or symmetrical, it would be difficult to justify a reason for refusal on the grounds of the orientation of the extension. An extension of 8.5m forward of the building is unusually large, however given the context of the site and the vast garden area which extends forward of the dwelling, it would be unlikely to appear cramped. It would again be difficult to justify that the extension is excessively dominant as the roof is set down from the roof of the attached section of the main dwelling by 0.75m and therefore achieves a degree of subservience. Overall it is considered that the design would not be contrary to Policy CS16 of the Local Plan, in terms of its relationship with the site itself.

(iii) Impact upon the Mill Lane Conservation Area

The site is located within the Mill Lane Conservation Area. To the east of the boundary lies the Hayling Billy Trail (HBT) which is a former train line, now used as a public footpath, characterised by trees and vegetation. The proposed front extension would extend 14m along the boundary with the HBT with a 0.5m separation distance. This boundary, which comprises a 2.4m high fence, is screened by a line of cypress trees situated within the site. Between the boundary fence and the HBT footpath, there is vegetation comprising brambles, ivy, hedging and some Hawthorn trees. However, the trees are spaced apart and the closest tree to the fence is in a diminished state. As such the vegetation along this part of the HBT appears sparse and more open compared to the remainder of the trail.

The front extension would have a ridge height of 6.5m so would extend 2.5m above the line of Cypress Trees for a length of 14m. Due to the more open vegetation along this section of the HBT, this would result in the extension being highly visible from the HBT. The Conservation Officer has raised concerns over the impact of the front extension on the wider conservation area. It is noted that there are other buildings close to the eastern boundary of the HBT, that being the two-storey extension to the rear of No. 5 Mill Lane. However, the vegetation between the footpath and the eastern boundary fence is more dense further north along the trail and as such, this building bulk is more screened from view. Overall it is considered that the height, length and proximity to the boundary of the front extension would have an adverse impact on the character of the HBT, and thus the Conservation Area.

(iv) Impact upon the neighbouring properties

The proposed single storey extension would be located on the west elevation where approval has previously been given for a two-storey extension. It is considered that a single storey extension would be acceptable in terms of neighbour impacts. It has been raised that if a single storey extension were approved, then this would allow the potential for overlooking to continue from the existing first floor windows in the west elevation towards the rear gardens in Nos 2-4 Harbourside. However, the Council are unable to refuse an application on these grounds.

The front extension would be positioned over 40m from the rear elevation of No. 3 Harbourside (the closest dwelling to the application site). This is considered to be a sufficient distance so as not to warrant a refusal of the application on grounds of potential overlooking or loss of amenity.

With regards to the concern that the enlargement of the property would result in a potential business use, there is no evidence within the application to confirm that a business use is being applied for.

(v) Impact on trees

The proposal would involve the removal of the existing Walnut Tree on site which is protected. An application was recently made to fell the Walnut tree and this was refused by the Council as it was considered that the tree is still in reasonable health. The Tree Officer has been consulted and has advised that he would object to the loss of the tree as there are still no sound arboricultural reasons for its removal in order to facilitate development. As such the application should be recommended for refusal.

(vi) Parking

The site has ample on-site parking provision and as such the additional habitable accommodation should not result in off-site parking on the private road or surrounding streets. The Council's Development Engineer has made no comment on the proposal.

8 Conclusion

The proposed development would result in the loss of the walnut tree which is considered to be unacceptable as this tree is protected and still in reasonable condition. The proposed front extension is considered to have an adverse impact on the character of the conservation area. The planning application should therefore be refused.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **REFUSE PERMISSION** for application APP/15/00360 for the following reasons:

- 1 The Walnut tree is a significant feature in the local landscape and appears to be in adequately sound and healthy condition. Its proposed felling would result in undue loss and detriment to the visual amenities of the locality [a more appropriate course of action would be through management of the tree's size and impact through a scheme of approved surgery]. The proposal is therefore contrary to policy DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 2 The proposed extension, by reason of its height, depth and proximity to the Hayling Billy Trail, is considered to unacceptably harm the character of the Mill Lane (Langstone) Conservation Area. As such the proposed extension is considered to be contrary to policies CS11 and CS16 (1a) of the Havant Borough Core Strategy (2011), policy DM20 of the Havant Allocations Plan 2014 and national guidance contained in the National Planning Policy Framework 2012.

