

---

Site Address: 13 Chichester Avenue, Hayling Island, PO11 9EZ  
Proposal: Proposed extension to existing roof to provide additional accommodation, new front porch extension and single storey annexe to rear (Revised Application).  
Application No: APP/14/01057  
Applicant: Mr & Mrs Collins  
Agent: Mr Holman  
Holman Reading Partnership  
llp  
Ward: Hayling West

Expiry Date: 08/12/2014  
Team: Team 2  
Case Officer: Stephen Cantwell

Recommendation: **GRANT PERMISSION**

---

## **1 Site Description**

A detached bungalow with room in the roof in a street of mixed, medium density development, with a mixture of bungalows, chalets and houses in the vicinity. The plot is a T-shape, and one of the larger in the immediate area. To the rear is a small enclave of houses of approx 20 years age, one of which backs onto the site, close to the position of the proposed annexe building. there are a few small/fruit trees in the vicinity of the proposed annexe building. The site of the proposed extension to the roof is above a flat-roofed part of the dwelling. The rear building line between the three bungalows nos. 11-15 is slightly staggered. The site and neighbouring properties appear to be level.

## **2 Planning History**

APP/14/00447 Erection of two storey building comprising garage at ground floor with granny annex at first floor, following removal of existing garage. Withdrawn July 2014.

## **3 Proposal**

A rear extension to the roof to form an additional bedroom, along with internal re-planning ( the latter does not in itself require planning permission), also the construction of an annex building to 5m height and 2.4m eaves, for use as recreational space (the agent's email of 16th October describes this).

## **4 Policy Considerations**

National Planning Policy Framework

Havant Borough Local Plan (Core Strategy) March 2011 & Allocations Document 2014

CS16 (High Quality Design)

DM13 (Car and Cycle Parking on Residential Development)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

## **5 Statutory and Non Statutory Consultations**

Building Control, (Fire Access Consultation)

Development Engineer: No Objection

## 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: 12

Number of representations received: Five

**Summary:** Mixed concerns include:

Extension: Windows should not be inserted to overlook neighbour patio. Also request that an existing side rooflight be made obscure. The attractive suburban location is formed by reasonable sized dwellings.

Annexe: Several concerns about future possible use as holiday accommodation or a new dwelling; the layout appears to provide for this and the existing garage could be demolished to form access giving rise to backland development and precedent. What is the need for this, especially if teenagers no longer need it. Loud music if used by teenagers. Inadequate access for fire service in an emergency.

Visual impact of annexe is harmful, overshadowing and intrusive e.g gable ends, long roof and proximity to boundaries.. It should be placed more centrally in the plot.

One letter following amendment of roof: This perhaps prevents risk of a first floor, but why do rooflights remain? remains concerned about use and noise, also fire regulations.

**Comment:** These comments are addressed in the considerations be below.

## 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 streetscene
- (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. It is important here to consider neighbouring amenities and character of the area, also the need for parking space.

### (ii) Impact upon the streetscene

The extension to the roof is unlikely to harm the streetscene. it is fully hipped and whilst it may be glimpsed at an angle from the road, it does not affect the height or the building or space between neighbouring properties. Three parking spaces existing in the existing driveway, garage and frontage hardstanding (with planted garden), such

that there is no need for additional parking to serve the resulting 4 bedroom property, in accordance with the Council's parking standards.

(iii) Impact upon residential amenity

Extension

This observes the 45 degree daylight test with each of 11 & 15 Chichester Avenue but care is needed to ensure that windows are not added without planning control in future, as this may lead to risk of overlooking, or at least the perception of, given the extent to the proposed roof to the rear of neighbours.

In response to one request to obscure-glaze of an existing rooflight, the applicant has pointed out that this faces a neighbour roofslope and therefore does not intrude into the neighbour's privacy. The applicant has declined this request but in any event, given that the window exists and that internal re-planning of this roof does not require planning permission, it would be unreasonable for the Planning Authority to insist on such a change.

Annexe building

This has been subject of most concerns, as described above. In consideration of these, it is noted that outbuildings for incidental uses can be constructed without planning permission up to 4m height within the garden, (2m+ from the boundary). Therefore the principal of such a use is broadly acceptable.

The intended use is described as follows:

*We can clarify that there is no intention of this 'annexe' being used for anything other than as additional space for the existing dwelling. The owners have teenage children and the annexe will be used for them as a place to relax/play. The indication for games is the thought that snooker/pool table may be placed here, with sofas etc. The w.c and kitchenette is shown for reasons of practicality and again we must re-iterate that the sole use of the annexe is part of the main dwelling.*

*You will note that the annexe has been designed as single storey which fits well into this part of the garden. It is impossible to extend the dwelling as the rectilinear shape of the house would create problems with a long building, and the clients desperately need space for their children. The option of an annexe upon my first site visit was clearly the best option due to the unusual garden shape, and also to allow max. use of natural light in both the dwelling and annexe. (Agent - email to HBC Planning Office 16th October 2014)*

It is possible to use a planning condition to limit the use to ancillary and incidental purposes, relieving the type of use described. This is similar to the scope of Permitted Development uses in the national GPD Order 2008. The condition can assist in

making it explicitly clear that other uses are not within the scope, such as separate occupation and commercial use (holiday letting is among the points of concern). It is noted that such uses would generate the need for additional parking and probably the division of the gardens, which would affect the character of the area, intensity of use and neighbouring amenities increased activity and noise. It is not possible (using the tests of reasonableness and relevance etc, which apply nationally to the use of planning conditions) to restrict demolition of the existing garage as a condition of this permission, but the use of the annexe building is the important consideration and can be conditioned.

On the point of concern about noise from teenagers, excessive noise would fall under environmental health legislation, rather than planning. Nevertheless the reduced roof area and control of roof windows will reduce the risk and pathway for noise.

The amended roof, to a full hip design, has reduced potential overbearing and shading of neighbouring property and is now considered to strike a reasonable balance. Whilst a more centrally located position might be preferable, the current position is not considered so harmful as to warrant refusal, whereas the previous 2 storey building was considered harmful.

It does not appear that boundaries are affected but any replacement and maintenance would be a matter between the relevant neighbours.

## **8 Conclusion**

- 8.1 That the application be approved, with the amended hip roof design to the annexe building.

---

## **9 RECOMMENDATION:**

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/14/01057, subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted.  
**Reason:** To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The external materials for the extension to the dwelling hereby approved shall match in type, colour and texture those on the existing dwelling. The external materials for the annexe building hereby approved shall be as stated in the current application unless any variation is first approved in writing by the Local Planning Authority.  
**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 2012
- 3 Notwithstanding any information contained in the current application, the annexe building hereby permitted shall not be used at any time other than for purposes ancillary and incidental to the occupation and enjoyment of the existing dwelling at the site, in accordance with the plans hereby approved and the information submitted with the application (including the agent's letter of

16th October 2014, received by e-mail transmission). It shall not be used or occupied as a separate unit of accommodation nor shall it be used for any business, commercial or industrial purposes whatsoever.

**Reason:** In the interests of clarity and because uses other than as an ancillary annexe or other purposes incidental to the existing house would give rise to a form of development which is unrelated to the character of the surrounding area. It would also be tantamount to the creation of a separate dwelling which would give rise the need for separate amenity space and on-site parking and the likely increase in activity, noise and disturbance which would be likely to harm neighbouring amenities and lead to inadequate parking. This condition is in order to ensure that the development is in accordance policies CS16 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 4 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, the annexe building hereby approved, shall not be enlarged, nor shall further additional windows be added into any part of the roof, nor shall any mechanical ventilation outlets be added within 1 metre of any boundary, without the prior written approval of the Local Planning Authority.

**Reason:** In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 5 The rooflight window to the stairwell in the southern roofslope hereby approved and the rooflight window to the landing area in the northern roofslope hereby approved shall each, at all times:

i) have a cill height which is at least 1.7m above internal floor level, and

ii) be permanently glazed entirely with obscure glass, the particular type of which glass shall provide a degree of obscuration no less obscure than that which is provided by Pilkington's Texture Glass Obscuration Level 4.

**Reason:** In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 6 The rooflight windows in the southern roofslope of the annexe building hereby approved shall each, at all times:

i) have a cill height which is at least 1.7m above internal floor level, and

ii) be permanently unopenable and glazed entirely with obscure glass, the particular type of which glass shall provide a degree of obscuration no less obscure than that which is provided by Pilkington's Texture Glass Obscuration Level 4.

**Reason:** In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 7 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no additional windows or other openings shall be constructed above ground floor level in either the southern or northern side elevations of the extension to the existing dwellinghouse hereby approved, without the prior written approval of the Local Planning Authority.

**Reason:** In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

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

8411.01B - Site/Location plans & Proposed annexe details (annexe building with hipped roof)

8411.02 - Main dwelling proposed plans & elevations

**Reason:** - To ensure provision of a satisfactory development.