

1 Site Description

- 1.1 9 Abbotstone Avenue is a two storey end terrace dwelling which is brick built with a concrete tile roof. The dwelling has a reasonable sized rear garden enclosed by a 1.8m high CBF. The adjoining neighbour to the east, (No.11), has not been extended to the rear.

2 Planning History

None

3 Proposal

- 3.1 This prior approval application is for the construction of a single storey conservatory style rear extension extending 3.7 metres beyond the rear wall of the original dwelling, incorporating an eaves height of 2.25 metres and a maximum height of 3.2 metres.
- 3.2 The requirements of the amendment to the GPDO in regard to the Prior Approval Process states that " where any owner or occupier of any adjoining premises objects to the proposed development, the prior approval of the Local Planning Authority is required as to the impact of the proposed development of any adjoining premises".
- 3.3 This report considers a representation made by the adjoining neighbour in regard to perceived impact of the proposal and the findings of site visits, made to both the proposal site and the adjoining dwelling. This officer report will then make recommendation based on the same planning grounds/considerations as for a full householder planning application.

4 Policy Considerations

National Policies

The National Planning Policy Framework, March 2012

Havant Borough Local Plan (Core Strategy) 2011

CS16 (High Quality Design)

Havant Borough Council Borough Design Guide Supplementary Planning Document 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: 4

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: One

Summary

(a) Substantial overlooking and loss of privacy. *It is not considered that the proposal will*

create overlooking or loss of privacy

(b) Substantial overshadowing and loss of light. *Noted*

(c) Substantial noise and disturbance of construction and future use. *Not a material consideration for this scheme*

(d) Substantially affect the appearance of my amenity. *Noted*

(e) Adversely effect my amenity given its size and proximity to my amenity. *Noted*

(f) The proposed development will also contravene The Party Wall Act 1996. *Not a material*

consideration for this scheme

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) Design and effect on streetscene
- (iii) Effect on residential amenity

(i) Principle of development

7.2 The dwelling is within the urban area and as such further development is acceptable in principle, so long as it accords with the development control considerations as assessed below.

(ii) Design and effect on streetscene

7.3 The proposed rear conservatory style extension would not be significantly visible from the surrounding public realm and furthermore in general design terms it is considered to be acceptable - reflecting, as it does, the scale, materials and proportions of the host dwelling.

(iii) Effect on residential amenity

7.4 The adjoining dwelling to the east, (No.11 Abbotstone Avenue), has not been extended to the rear - its rear garden is enclosed by typical garden fencing with no significant natural screening to mitigate the impact of the new work proposed. No.11

has a kitchen/diner to the rear of the dwelling and the property has a small rear garden. It is already enclosed to the eastern boundary by the original brick sheds; that were provided to the rear of the majority of the terrace dwellings within the locality at the time of original construction. The dwelling to the east of No.11, (No.13), has also been extended by means of a single and two storey rear extension.

- 7.5 As a consequence the full bulk of the proposed extension's depth, (3.7m), will create a tunnel effect to the rear kitchen/diner and outside amenity space of No.11. Thus impacting the outlook from the rear of this neighbouring dwelling and appearing overbearing to the immediate garden area. In this respect it is considered that the development is contrary to the requirements of Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, whereby criterion (e) requires new development to *"not cause unacceptable harm to the amenity of neighbours."* The development also conflicts with the guidance on rear extensions in the Havant Borough Council Borough Design Guide Supplementary Planning Document 2011 which again (at para 5.41) requires rear extensions to have *"particular regard to neighbouring properties and should not cause an adverse effect."* Paragraph 2.02 of the Design Guide makes clear that the Guide's purpose is to supplement and help implement Policy CS16 of the Core Strategy. Core Strategy Policy CS16 and its attendant Guidance reflect the core planning principles in the National Planning Policy Framework, particularly that planning decisions should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 7.6 It is not considered that there would be any adverse impact on the dwelling to the west due to the separation distance between the proposal site and this neighbouring dwelling.

8 Conclusion

- 8.1 It is concluded that the proposal would cause significant harm to the amenity of the neighbouring property to the east, (No.11), and that therefore this prior approval should not be granted.
- 8.2 It is considered that the fall back position of a 3m rear extension, as allowed in accordance with the dwelling's Permitted Development rights, (which are intact), under the GPDO, is the maximum depth that should be permitted in this instance given the site constraints as described above.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to for application APP/13/01060 for the following reason.