

## DELEGATED OFFICER REPORT

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|----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>PROPOSAL</b>                  | <b>Demolition of existing section of roof to rear of first floor. Construction of new first floor extension to rear, new windows to East and West Elevations, modified windows to South and East Elevations. Construction of new music room in rear garden. External works to provide level access to external doors.</b> |
| <b>LOCATION:</b>                 | 16 St Georges Avenue, Havant, PO9 2RX                                                                                                                                                                                                                                                                                     |
| <b>REFERENCE NO:</b>             | APP/25/00580                                                                                                                                                                                                                                                                                                              |
| <b>APPLICANT:</b>                | A Battersby as deputy for Elijah Burns                                                                                                                                                                                                                                                                                    |
| <b>APPLICATION TYPE:</b>         | Householder planning permission                                                                                                                                                                                                                                                                                           |
| <b>CONSULTATION EXPIRY DATE:</b> | 28/10/2025                                                                                                                                                                                                                                                                                                                |
| <b>APPLICATION EXPIRY DATE:</b>  | 01/09/2025                                                                                                                                                                                                                                                                                                                |
| <b>WARD:</b>                     | St Faiths                                                                                                                                                                                                                                                                                                                 |
| <b>SUMMARY RECOMMENDATION:</b>   | <b>Approve with Conditions</b>                                                                                                                                                                                                                                                                                            |

### 1. Site Description

- 1.1 The application property is a two storey detached dwelling located on the northern side of St George's Avenue in the St Faiths Ward, Havant. The property is faced in red brick at ground floor level with pebble dash at first floor. It has a clay tile roof with Mock Tudor detailing on its front projecting gable. The property has previously been extended at its rear with single storey additions.
- 1.2 The property benefits from a large driveway to the front of the property and a spacious rear garden.
- 1.3 The local area is residential in nature; a railway line runs to the rear of the site.
- 1.4 The property is not listed and is not within a Conservation Area. There are no TPO protected trees on or adjacent to the site.

### 2. Planning History

No relevant planning history

### 3. Proposal

- 3.1 The application proposed three separate elements.

- 3.2 Firstly, the application proposes the part demolition of existing section of roof to rear of first floor with the construction of a first floor extension in its place. The extension would house a family bathroom. The proposed extension would square off the rear elevation of the property at first floor level.
- 3.3 The application also proposes the construction of a pitched roof outbuilding in the rear garden along with external works to provide level access to external doors. The outbuilding would have a footprint measuring roughly 8.1m x 4.7m and would be sited close to the eastern side boundary of the plot.
- 3.4 New windows to East and West Elevations, modified windows to South and East Elevations.

#### **4. Policy Considerations**

In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the Planning Considerations section of the report.

Havant Borough Council Borough Design Guide SPD December 2011  
Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011  
CS16 High Quality Design  
DM13 Car and Cycle Parking on Residential Development

Havant Borough Local Plan (Allocations) July 2014  
AL1 (Presumption in Favour of Sustainable Development)

Listed Building Grade: N/A  
Conservation Area: N/A

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

|                                                                                                                                                                                                                                                                                                                                |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b><u>Network Rail, Town Planning Technician</u></b></p> <p>No comments received</p>                                                                                                                                                                                                                                        |
| <p><b><u>Environmental Health Officer</u></b></p> <p>The proposals are within reasonable use of a residential property and as such I do not believe that it is appropriate to require a noise impact assessment or enhanced sound insulation.</p> <p>Instead, I would recommend including the following informative notes:</p> |

"The applicant is advised to ensure that the use of the music room is managed to prevent frequent and excessive noise impacts on neighbouring properties. This may include consideration of the times and duration of use, and/or the provision of suitable sound insulation, particularly where the intended use involves regular playing of loud musical instruments, drums, or amplified equipment"

and

"The granting of planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated [noise] complaints within the remit of the Environmental Protection Act, 1990 be received."

## **6. Publicity and Community Involvement**

This application was publicised in accordance with the Council's Local Code of Corporate Governance and the Statement of Community Involvement.

Neighbouring properties consulted (as defined by the Statement of Community Involvement)

Number consulted: **4**

Two objections to the scheme as originally submitted were received and are summarised as follows:

| <b>Comment</b>                                            | <b>Officer Comment</b>                                                                            |
|-----------------------------------------------------------|---------------------------------------------------------------------------------------------------|
| No objection to first floor extension                     | Noted                                                                                             |
| Lack of justification for siting of outbuilding           | The LPA must assess the proposal as submitted and based on its individual merits                  |
| Questions why an existing outbuilding cannot be converted | The LPA must assess the proposal as submitted and based on its individual merits                  |
| Noise impact/questioned sound proofing                    | See Environmental Health Officer's comments above                                                 |
| Visual impact/loss of outlook                             | See assessment below                                                                              |
| Overbearing impact                                        | See assessment below                                                                              |
| Overshadowing                                             | See assessment below                                                                              |
| Impact on tree/biodiversity                               | See assessment below                                                                              |
| Overhanging gutters                                       | The proposal was subsequently amended to re-position the outbuilding to avoid gutters overhanging |

During the lifetime of the application, amendments were made to the scheme to reposition the outbuilding to avoid gutters overhanging the neighbouring plot. A period of re-consultation was undertaken. One objection was received and is summarised as follows:

| <b>Comment</b>                                            | <b>Officer Comment</b>                                                           |
|-----------------------------------------------------------|----------------------------------------------------------------------------------|
| No objection to first floor extension                     | Noted                                                                            |
| Lack of justification for siting of outbuilding           | The LPA must assess the proposal as submitted and based on its individual merits |
| Questions why an existing outbuilding cannot be converted | The LPA must assess the proposal as submitted and based on its individual merits |
| Noise impact/questioned sound proofing                    | See Environmental Health Officer's comments above                                |
| Visual impact/loss of outlook                             | See below                                                                        |
| Overbearing impact                                        | See assessment below                                                             |
| Overshadowing                                             | See assessment below                                                             |
| Impact on tree/biodiversity                               | See assessment below                                                             |

## **Ward Members**

|                       |
|-----------------------|
| <b>Cllr P Munday</b>  |
| No comment received   |
| <b>Cllr G Harris</b>  |
| No comment received   |
| <b>Cllr D Berwick</b> |
| No comment received   |

Material planning considerations are addressed in Section 7.

## **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) Appropriateness of design and impact on the character of the area
- (iii) Effect on neighbouring properties
- (iv) Impact on Trees
- (v) Parking
- (vi) CIL
- (vii) Biodiversity Net Gain

(i) Principle of development

- 7.2 The application site is located within the defined urban area, therefore development is considered acceptable in principle subject to development management criteria. The proposal seeks an extension to the existing property, amendments to the fenestration and an ancillary outbuilding.
- 7.3 The principle of development is considered acceptable subject to a detailed assessment of planning matters outlined below.

(ii) Appropriateness of design and impact on the character of the area

- 7.4 The proposal's first floor rear extension would form a continuation of the existing side and rear walls at first floor level, effectively squaring off the property at first floor level. Its overall scale and dummy pitch roof form would largely match that of the extension undertaken to the neighbouring property. The roof line would sit lower than the main ridge and as such would appear as a subservient addition and its materiality and detailing would help the extension appear as a cohesive addition to the property.
- 7.5 The rear outbuilding would have a rectangular footprint with pitched roof form. Its materials would be in a red brick with a tiled roof, which are considered to be appropriate for the area. Some glimpses of the building would be available from the public highway to the front of the building, however, as it would be set to the rear of the dwelling, it would not appear as an overly large or dominant addition to the streetscene. The outbuilding would be of a proportionate size for what is a relatively large plot. The outbuilding would project several metres into the rear garden beyond the existing built form. The overall projection beyond the original rear wall of the property would be noticeable, however, Officers note that similar extensions and outbuildings project to a similar position in a neighbouring dwelling. As such, Officers consider the projection beyond the rear building line to be acceptable in this instance.
- 7.6 The proposal also sees alterations to windows on the eastern elevation at ground and first floor. The ground floor alterations could take place under permitted development. At first floor level, an existing window would be replaced with a narrower window. The appearance of the window would be in keeping with the remaining windows in the property and would have no material impact on the character of the property.
- 7.7 Overall, the majority of the developments would be at the rear of the host dwelling and would have limited public visibility. The design and appearance of the proposal is deemed appropriate in context to the dwelling and is therefore considered to be acceptable, meeting the requirements of Policy CS16 of the HBLP (Core Strategy). It is considered that the scheme would not result in an adverse impact on the visual amenity of the locality.

(iii) Effect on neighbouring properties

- 7.8 The first floor rear extension would form a continuation of the side and rear walls. The built form would be kept away from the side boundary of the plot. Its form, bulk and massing would broadly match that of an extension undertaken to the neighbouring property to the west and would satisfy the relevant sightline tests taken from habitable room windows on the front and rear of the neighbouring property. Officers are satisfied there would be no harm through overshadowing or overbearing impacts. A side facing window is proposed. As the room it serves would be a bathroom, the window is proposed to be obscure glazed and shall be conditioned as such accordingly to avoid any harm through overlooking.
- 7.9 The outbuilding would be sited close to the shared side boundary with No.18 and its garden and patio area. The development would be partly screened from the neighbouring property by the existing boundary fence. The outbuilding's eaves height would be kept relatively low (2.5m) near to the boundary. The pitched roof would hip away from the boundary, thereby reducing the overall bulk and massing on the boundary.
- 7.10 It is noted that the neighbour's patio is relatively spacious and has a stepped L-shaped footprint. The land immediately to the side of the proposed outbuilding is an area of lawn rather than patio. Whilst there would be some associated overshadowing, this would be confined to periods in the afternoon and evening and would have limited incursion into the patio. Officers acknowledged the upper section of the outbuilding would be visible to neighbouring residents and, on balance, do not consider it to be sufficiently overbearing to merit the refusal of the application.
- 7.11 The outbuilding is stated as being used for use as a studio and music room. Objections have been raised regarding potential noise disturbance, which have been given consideration by the Environmental Health Officer. The Officer considers the proposed use partly as a music room falls within the reasonable use of a residential property and as such does not believe that it is appropriate to require a noise impact assessment or enhanced sound insulation. The Officer recommends two informatives are added to the decision notice advising the applicant to consider measures to prevent frequent and excessive noise impacts on neighbouring occupants and also making the applicant aware that noise complaints fall within the remit of the Environmental Protection Act, 1990.
- 7.12 Alterations to first floor windows on the eastern side elevation would see a reduced size of window. The window in question would serve an en-suite bathroom. This window shall be obscured glazed to avoid potential for overlooking of the neighbouring plot and controlled by condition.
- 7.13 Consequently, it is considered that the proposal will not appear overbearing or lead to an unreasonable loss of light, outlook or privacy and would have limited

and acceptable impact on the properties immediately adjacent to the application site and the properties opposite or to the rear, meeting the requirements of Policy CS16 of the HBLP (Core Strategy).

(iv) Impact on Trees

- 7.14 The proposed outbuilding would be sited close to the side boundary of the plot. Two trees are on the opposite side of the fence within the neighbouring garden. The digging of any foundations would enter the root protection area of one tree and possibly the second. The Council's Arboricultural Officer has reviewed the proposal and has not raised any concerns in regard to these trees. The trees are not of any particular quality or public amenity value and are not worthy of protection under a Tree Preservation Order. Whilst any adverse impact upon the longevity of the tree is regrettable, it would not be significant enough to merit the refusal of the application.

(v) Parking

- 7.15 The property benefits from a large area of block paving to the front of the property which acts as a driveway. The driveway would not be built over as part of the proposal and it is considered that more than adequate parking space would be retained.

(vi) CIL

- 7.16 The proposal is not CIL liable as it would be a householder development below 100sqm in area.

(vii) Biodiversity Net Gain

- 7.17 The proposal is a householder planning application which is exempt from providing mandatory BNG.

## **8 Conclusions**

- 8.1 The proposed development is acceptable in principle, is appropriate in terms of design and its impact on the character of the area and would have a limited and acceptable impact on the neighbouring properties. On this basis it is recommended for approval.

## **9. RECOMMENDATION:**

- 9.1 That the Development Manager be authorised to Approve with Conditions for application APP/25/00580

### **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 outbuilding hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of the existing dwelling and shall not be used as a separate unit of accommodation or business use.

**Reason:** The outbuilding is not considered to be in an appropriate location to be occupied separately from the main dwelling or be used as a separate business use due to potential disturbance to neighbouring residential amenity and having due regard to policies CS16 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

3. The windows at 1st floor level in the east (en-suite bathroom) and west (family bathroom) elevations of the building as shown on drawings shall:-

- (i) consist of at least two lights divided horizontally with only the top light capable of being opened at a point no lower than 1.7m above internal floor level, and shall be maintained in that condition at all times; and
- ii) at all times be and remain 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.

4. The external materials to be used shall match in type, colour and texture those on the existing building.

**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.

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

Location Plan

PRO-159 (PL) – E-001 Rev A  
Plan

Site Location, Existing and Proposed Block

PRO-159 (PL) –P-004 Rev B

Proposed Ground Floor Plan

PRO-159 (PL) –P-005 Rev B

Proposed First Floor and Roof Plan

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

**Informatives:**

1. The applicant is advised to ensure that the use of the music room is managed to prevent frequent and excessive noise impacts on neighbouring properties. This may include consideration of the times and duration of use, and/or the provision of suitable sound insulation, particularly where the intended use involves regular playing of loud musical instruments, drums, or amplified equipment.
2. The granting of planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated [noise] complaints within the remit of the Environmental Protection Act, 1990 be received.
3. In accordance with paragraphs 38-50 of the NPPF Havant Borough Council (HBC) takes a positive and proactive approach and works with applicants/agents on development proposals in a manner focused on solutions by:  
Offering a pre-application advice service, and  
Updating you of any issues that may arise in the processing of your application and where possible suggesting solutions, and,

In this instance:

You were updated about issues after the initial site visit,  
Your application was acceptable following receipt of amended drawings and no further assistance was required.