

Appendix 2

APP/M1710/C/24/3349196

Report of the Head of Place dated 25th June 2024.

HAVANT BOROUGH COUNCIL - REPORT OF HEAD OF PLACE

File Reference: 23/00095/CMP/UNBW

Date: 25th June 2024

Address: 59 Hazleton Way, Waterlooville, PO8 9BP ("the Land")

Breach: Unauthorised storage shed to the front of property

SITE AND BACKGROUND

The application site comprises a link attached bungalow located on the north western side of Hazleton Way in Cowplain, with the attached garages of No's 57 and 59 forming the attachment. Off street parking for three vehicles is available within the curtilage of the property.

Hazleton Way is predominantly residential in character. The properties within close proximity to the application site are generally detached and semi-detached bungalows, however to the north east of 59 Hazleton Way is a row of local shops with flats above. It is evident that many of the bungalows within Hazleton Way have been altered and extended, including roof alterations of varying styles and designs.

APP/18/00320 - Single storey rear extension, alterations to roof to provide front & rear dormers with gable lifts - Granted

In June 2023 an enquiry was received at the Council to suggest a large wooden structure had been erected in the front garden of 59 Hazleton Way. Concerns were expressed that it 'looks very unsightly and too big for a front garden'.

A letter was sent to the owner detailing Class E and photographs were obtained for the file.

The owner opted to take pre application advice from the Council. The planning departments response sent 17th January 2024 to the development was as follows: 'The shed/cycle storage that was built at the front of the property is considered out of the context of the neighbourhood unfortunately. Therefore, if an application was submitted, the proposal would not receive officer's support because of the impact on the streetscene, the character of the area, and the position at the front of the property with no screening at front boundary, thus it is unlikely to be approved.'

Following a site visit and confirming the structure still remains in April 2024, a letter before action was sent out.

Reasons

The application site is located within the defined urban area.

The bike store/ storage shed is highly visible from the streetscene and does not benefit from permitted development under Class E of the Town and Country Planning (General Permitted) (Development) order 2015 as it is contained forward of the principal elevation.

The development is considered to be out of keeping with the surrounding pattern of development and would have a harmful impact on the character and appearance of the property, the street scene and the visual amenity of the immediate locality. As such the development is considered to be contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, the Havant Borough Council Borough Design Guide SPD 2011 and the National Planning Policy Framework, all of which seek to ensure development responds positively to the context of the area, are of high-quality design and correspond with or enhance surrounding development and are sensitively integrated with no adverse effects on the street scene and visual amenity.

THE HUMAN RIGHTS ACT 1998

The Human Rights Act confers several rights, of which the following are relevant in this case.

First Protocol, Article 1: the right to peaceful enjoyment of possessions. It is necessary to balance the right to use this land as the owner wishes, against the need to protect the character and appearance in this countryside setting. The development is contrary to the Council's adopted policies and Government advice in Planning Policy Guidance Notes. The requirements of the notice are proportionate to the intended objective of local and national planning policy that expect the highest quality of design.

Article 6: Right to a fair trial: If the recipients of the notice are aggrieved by the Local Planning Authority's (LPA) decision there is the right of appeal to the Planning Inspectorate, which is an independent body. Accordingly, the decision-making process falls within the requirements of Article 6.

Article 8 sets out the basis rights for a private, family life and home. This right is a material planning consideration, which is respected, but is not guaranteed. This right must be balanced against all other material considerations when assessing this planning application to enable a planning judgement to be made.

Having regard to all material planning considerations, these override the right to a home on the site, as provided for by Article 8 of the Human Rights Act 1998.

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Appendix 3

APP/M1710/C/24/3349196

Officers Report recommending permission for single storey rear extension, alterations to roof to provide front and rear dormers with gable lifts. Dated **29th May 2018**.

Site Address: 59 Hazleton Way, Waterlooville, PO8 9BP
Proposal: Single storey rear extension, alterations to roof to provide front & rear dormers with gable lifts.
Application No: APP/18/00320
Applicant: Mr & Mrs Bassett
Agent: Mr Dunks
Ward: Cowplain
Site Visit Date:
Expiry Date: 29/05/2018
Case Officer: Karen Wooden
Andrew R Dunks Ltd.

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site comprises a link attached bungalow located on the north western side of Hazleton Way in Cowplain, with the attached garages of No's 57 and 59 forming the attachment. The property currently has a hipped hung tiled roof, with brick elevations. Off street parking for three vehicles is available within the curtilage of the property.
- 1.2 Hazleton Way is predominately residential in character. The properties within close proximity to the application site are generally detached and semi detached bungalows, however to the north east of 59 Hazleton Way is a row of local shops with flats above. It is evident that many of the bungalows within Hazleton Way have been altered and extended, including roof alterations of varying styles and designs.

2 Planning History

- 2.1 No relevant planning history.

3 Proposal

Single storey rear extension to replace existing conservatory, alterations to roof to provide front & rear dormers with gable lifts, and addition of cladding.

4 Policy Considerations

National Planning Policy Framework
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)

Listed Building Grade: Not applicable.
Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

5.1 No consultees were required for this application.

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: 7

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
We were concerned that the original plan included a window on the N/E side ground floor rear extension which would have directly faced and looked into our kitchen window and main work area. Mr Bassett has kindly acknowledged this and submitted the revised plan removing the window. We therefore have no objection to the revised plans as they stand now in drawing 4950/4 REV B and 4950/6 REV B.	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

(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.

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

7.3 The streetscene within close proximity to the application site is a mix of detached and semi detached bungalows, and commercial units with flats above. Many of the surrounding bungalows have extended into the roofs, including the neighbouring property to the north (61 Hazleton Way) by means of dormer windows, and gabled roofs. Although the garage of the application site is attached to the garage of No. 57, there is good separation between the two roofs. The property to the north (61 Hazleton Way) has a relatively unique box style dormer. It is not considered that the gabling of the roofline to both the north and south elevations would significantly impact the character for the streetscene

- 7.4 The proposed dormers will both sit back into the roof, back from the front line of the wall below, and will be below the existing ridge line. The dormer windows will be smaller than the windows below and are not considered to dominate the roof of the dwelling. The dormers and gable ends are to be clad with grey wetherboard cladding which is considered acceptable within this particular streetscene, which has a variety of materials visible.
- 7.5 The proposed rear extension will not be visible from the public domain. Notwithstanding this the materials to be used are to match those used on the existing dwellinghouse.
- 7.6 The design and appearance of the proposal is deemed appropriate in context to the main building 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

- 7.7 There is a separation gap exceeding 50m between the application site and the property to the rear (14 Springvale) The application site and the properties to the front are separated by the highway of Hazleton Way, with the shortest distance between properties exceeding 30m. It is therefore not considered that any part of the proposal would have a significant impact on the occupiers of these neighbouring properties.
- 7.8 The property to the northeast (61 Hazleton Way) is a detached bungalow which has been extended to both the roof and the rear. By gabling the roof line to the northern elevation the gable end will be approximately 2m from this neighbouring property. The plans show that no windows are to be inserted into this elevation. Although No. 61 does have a window in the south western elevation of their dormer window, it is set back and it is not considered that the proposal would significantly impact the occupiers in terms of loss of light. A single storey rear extension to No. 61 extends approximately 2.5m further than the rear extension proposed for No.59. The initial plans submitted showed the proposed addition of a window to the north eastern elevation, however following concerns raised by the occupiers, an amended plan was submitted with this window being removed. It is noted that the proposed extension will have a impact on afternoon light to a ground floor window to No. 61. However this is a secondary window, with the main window to the room facing towards the west and therefore the impact is not considered to be significant. Notwithstanding this, with the only neighbouring objection being withdrawn, the proposed rear extension could be constructed under the current Prior Notification Rear Extensions scheme and therefore the refusal of the rear extension could not be justified.
- 7.9 The property to the southwest (57 Hazleton Way) is attached to the application site by means of the garages, however the gap between the two dwellinghouses is approximately 5m. The addition of a first floor window to the south western elevation is proposed to provide light and ventilation to a bathroom. This window will face towards the roof of No. 57 and will not directly overlook any private amenity space, and therefore it is not considered necessary to condition the window to be obscurely glazed or fixed shut. The plans show the addition of a window and access door to the ground floor on the south western elevation, however the properties are separated by close board fencing and a gap of 5m will be retained and therefore it is not considered that the proposal would cause significant harm to the occupiers of this neighbouring property.
- 7.10 Consequently, it is considered that the proposal will not appear overbearing or lead to overlooking 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). It is noted no letters of objection were received with respect to the scheme.

8 Conclusion

- 8.1 The scale, siting and design of the proposal would have limited and acceptable impact on the neighbours and is therefore considered to be appropriate and recommended for approval.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/18/00320 subject to the following conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Location plan - received 03.04.18
Site layout plan - 4950/500
Existing elevations - 4950/3
Proposed elevations - 4950/6 (rev b)
Existing ground floor plan - 4950/1
Proposed ground floor plan - 4950/4 (rev b)
Existing first floor plan - 4950/2
Proposed first floor plan - 4950/5 (rev a)

Reason: - To ensure provision of a satisfactory development.

- 3 The external materials used shall be as indicated on the submitted forms and hereby approved plans, or shall match, in type, colour and texture, those of the existing building so far as practicable.

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.

Appendix 4

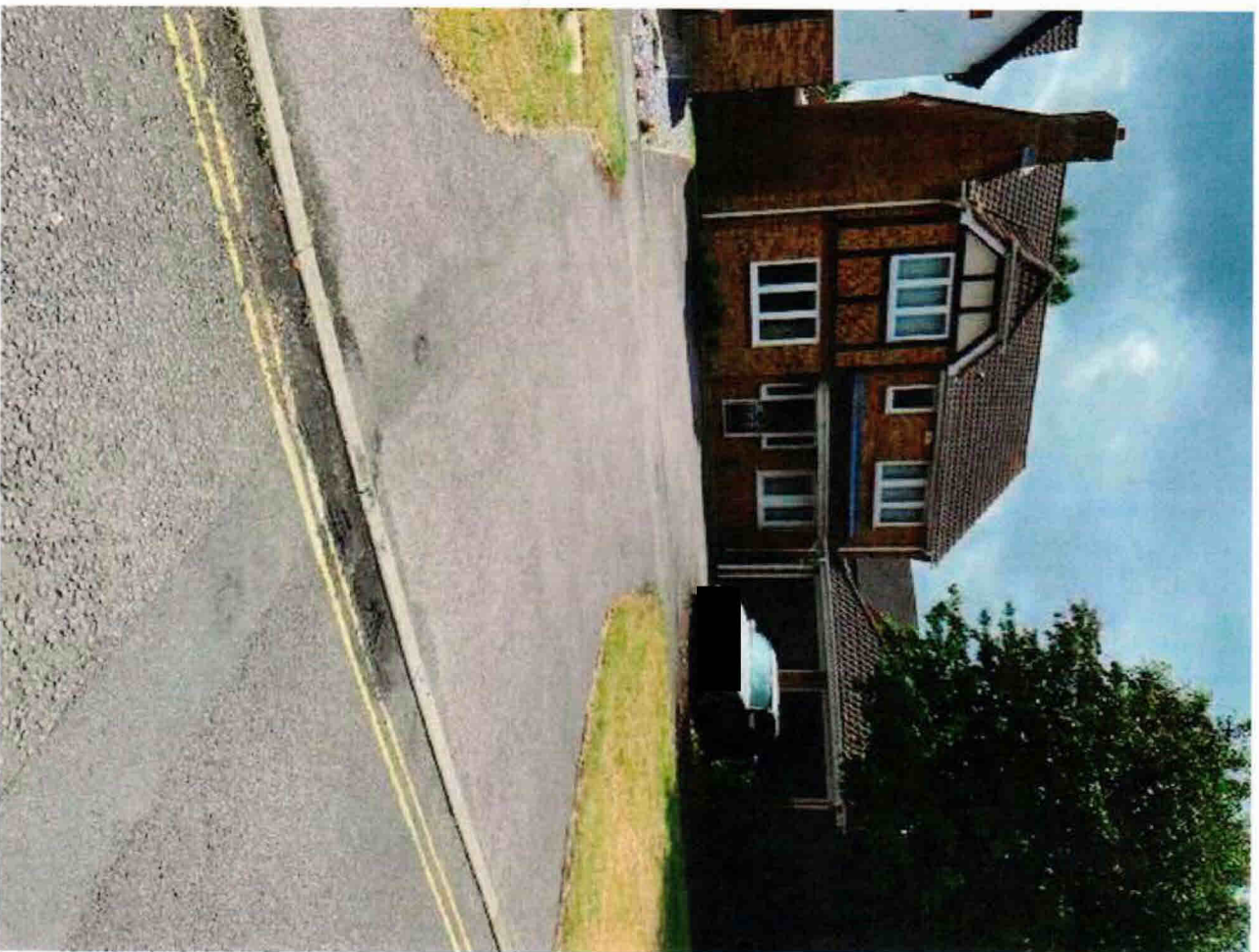
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Street Scene photographs (3) of development forward of the principal elevation at Old Copse Road Havant PO9 2YA.

Aerial photograph and site/location plans of the surrounding area.

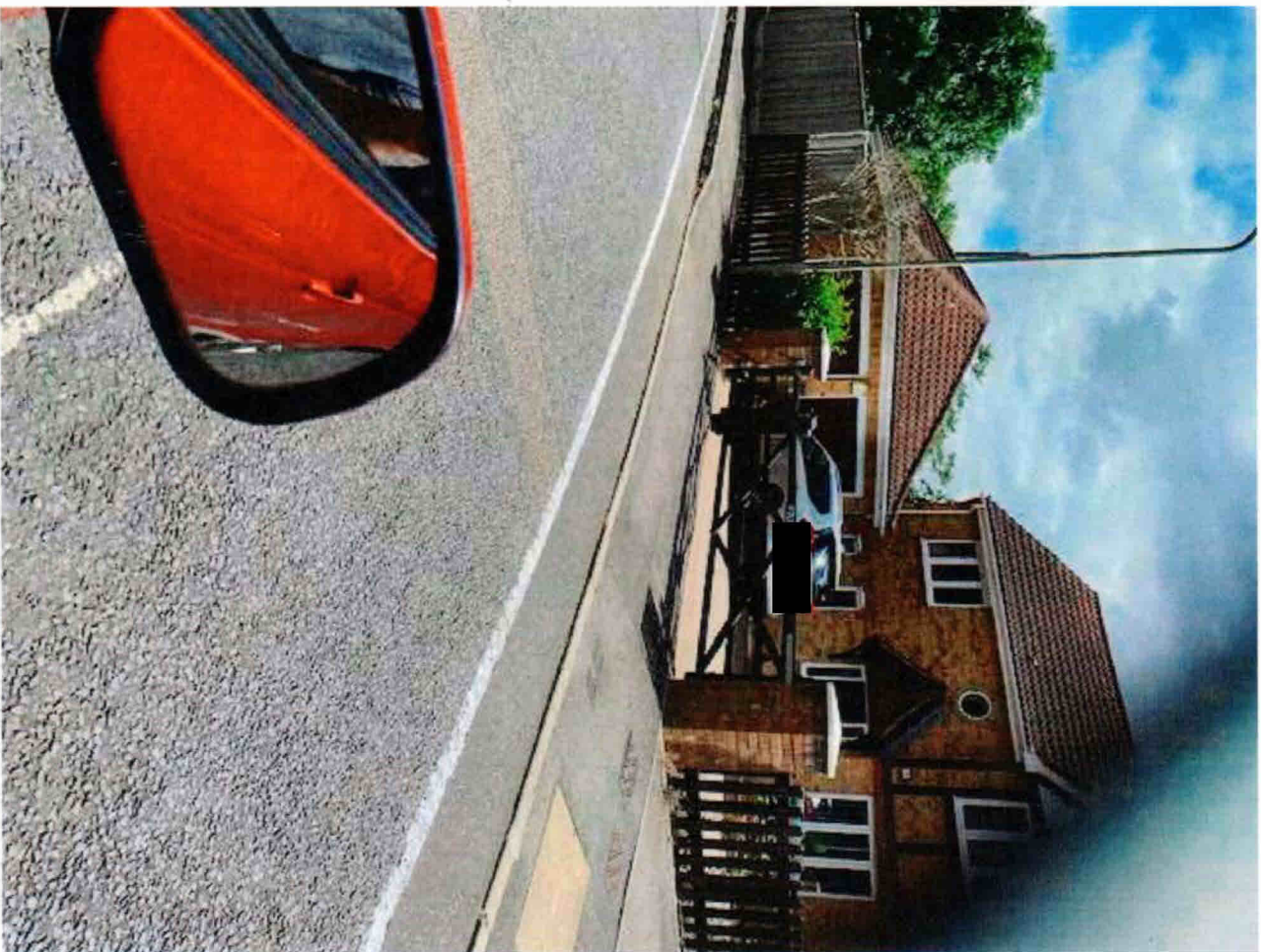


OLD GORSE ROAD, HAVANT PO9-2YA
25



OLD COUSE ROAD, HAVANT. RG9-2YA

11



OLD COUSE ROAD, HAVANT PO9-2YA
19621

My House

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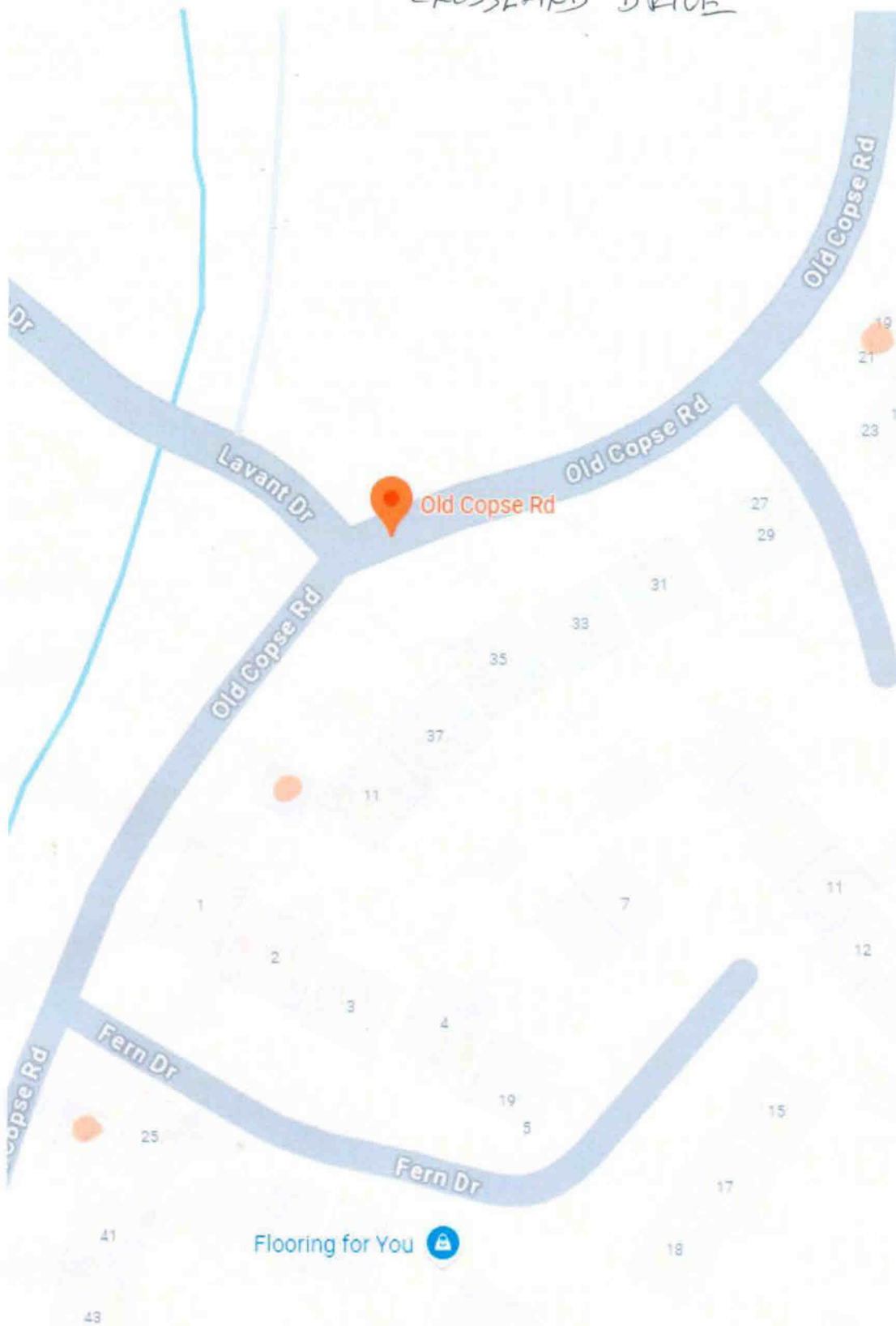
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Appendix 5

APP/M1710/C/24/3349196

Street Scene photograph of the Appeal site taken 17th December 2024.



CYCLE STORAGE SHED
59 HAZLETON WAY, POB-98P