

DELEGATED OFFICER REPORT

APPLICATION REFERENCE: APP/26/00207

APPLICATION TYPE: Retrospective Permission

PROPOSAL: Retrospective application for a single-storey ancillary domestic outbuilding for incidental use within the curtilage of the dwelling.

SITE ADDRESS: 4 Wallis Gardens, Waterlooville, PO7 7SA

AGENT DETAILS: N/A

APPLICANT DETAILS: Mr Loveday

CASE OFFICER: Denise Sheath

TARGET DATE FOR DECISION: 22 May 2026

RECOMMENDATION: REFUSE PERMISSION

1 Site Description

4 Wallis Gardens, Waterlooville, is a detached two storey dwelling constructed with brown brick with hung tiles to the first floor elevations. The frontage of the property is partially shingled which acts as off road parking, the other section of frontage has been fenced off and is used as private garden area together with the side and rear areas. the boundary treatment to the front consists of close boarded fencing at an approximate 1.8m height to the south west front boundary with a 1m wooden fence to the north west front side boundary.

2 Planning History

19245 – home extension – Permit 30 April 1968

APP/10/00373 - First floor side and single storey rear extensions. – Permit 27 September 2010

APP/15/00867 - First floor extension above the existing garage (North elevation) and two storey extension (South elevation) following removal of existing ground floor extension and other alterations. – Permit 28 September 2015

3 Proposal

Retrospective application for a single-storey ancillary domestic outbuilding for incidental use within the curtilage of the dwelling.

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)

AL1 (Presumption in Favour of Sustainable Development)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Councillor Brent – No Comments Received

Councillor Wade – No Comments Received

Councillor Robinson – Red Carded – The Red card was withdrawn as the application is being refused

The concerns raised by the Councillor are as follows:

I write to object to this retrospective planning application for this ancillary building, which is to be a home office, forward of the principal elevation.

This development is in conflict with Local Planning Policy which requires development to:

- 1) Respect and enhance the character of the area.
- 2) Development forward of the principle elevation is resisted unless it can clearly be demonstrated that it preserves or enhances the character of the area; which this clearly does not.
- 3) Protect residential amenity.
- 4) Be of appropriate scale, siting and design.

The siting of this standalone structure forward of the principle elevation is incongruous with the established pattern of development within the locality. The area is characterised by open frontages that contribute positively to the visual amenity of the street. The introduction of a building in this prominent position creates a visually intrusive feature that detracts from the uniformity and openness of the streetscape, resulting in harm to the local character.

Allowing this development to remain could set an undesirable precedent for similar encroachments into front garden spaces. This would risk incremental erosion of the character of the area, leading to a cluttered and overdeveloped street scene.

Southern Water:

Development Site is not within Southern Water's Supply Area: The development site is not located within Southern Water's statutory area for water supply. Please contact Portsmouth Water who are the relevant statutory undertaker.

Southern Water has determined that the flow rate for the above site will remain consistent, so capacity is not an issue, and no Southern Water assets will be affected. Therefore, Southern Water has no objections to this proposal. Please note surface water should not be disposed of into a public foul sewer and must comply with the Hierarchy of H3 of the Building Regulations. For more details, refer to the Drainage and Waste Disposal: Approved Document H on the GOV.UK website. Any new connections to the public sewerage system will require a New Sewer Connection application (also known as a Section 106) to be submitted and approved by Southern Water.

Due to legislative changes effective from 1st October 2011 regarding the ownership of sewers, it is possible that some previously private sewers, now deemed public, could be crossing the above property and may not be shown on Southern Water records. Therefore, if any additional sewers are discovered during construction, an investigation will be required to determine their condition, the number of properties served, and potential access methods before any further work can proceed on site.

For further advice, please contact Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119). Website: southernwater.co.uk or by email at: SouthernWaterPlanning@southernwater.co.uk

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: 8

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 9

Summary of Objections:

- The outbuilding being constructed impacts the aesthetic of the streetscene
- the structure is visually dominant and intrusive within the street scene.
- The building is not in harmony with the surrounding environment
- The building is an eyesore and the design is imposing.
- Development to the front of a property is not desirable and is normally resisted in respect of planning approval
- If approved would set a precedent for other structures within the frontages which would be detrimental to the visual character and change the appearance of Wallis Road.
- Neighbours were not consulted by the applicant of the proposal.
- Dispute that the outbuilding is constructed within the side garden as stated by the applicant. It is located within the front boundary and is visible to all properties within the Close
- Constructed without planning permission
- There is a concern from a privacy aspect about the side office window overlooking all of the front gardens and driveways down to the bottom of the road.

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) Biodiversity Net Gain (BNG)

(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 proposal is for the retention of an outbuilding forward of the principal elevation to be used as a home office.

The Borough Design Guide states, inter alia, that garages and car ports should not project forward of the building lines.

Whilst it is acknowledged that the proposal is not a garage or car port it is a detached structure projected forward of the building line. The proposal would not be characteristic of the area.

- 7.4 The proposed outbuilding would be at odds with the current streetscene projecting forward of the building line with the application property and that of the adjacent neighbours. Notwithstanding this the proposed outbuilding is proposed to be erected adjacent to the front boundary and adjacent to the footpath. It is noted that there are no other similar developments in the immediate locality, and it is considered that the proposed outbuilding, by reason of its size, siting and design would result in a prominent and incongruous feature within the street scene adversely impacting on the character of the area and the visual amenities of the locality.
- 7.5 The fallback position would be to re-locate the outbuilding behind the principal elevation in which the proposal would likely fall within Permitted Development.
- 7.6 As such, the size, siting, design and appearance of the proposal is deemed inappropriate in context to the main building and its surroundings and is therefore considered to be unacceptable and contrary to the requirements of Policy CS16 of the HBLP (Core Strategy) and the Havant Borough Design Guide SPD.

(iii) Effect on neighbouring properties

- 7.7 Whilst it is acknowledged that the existing frontage is partially used for the parking of cars, the proposed outbuilding is adjacent the front boundary of the neighbouring property to the south west (No.5), although this neighbouring property would be partially screened by the approximate 1.8m wooden fencing the proposed outbuilding would result in some loss of outlook, the impact would not be so significant as to warrant a reason refusal of the application.
- 7.8 Whilst the structure is clearly visible from other neighbouring properties, it is considered that there would be no direct adverse impacts to other neighbouring properties as a result of the development.
- 7.9 Concerns have been raised with regard to the installation of a window to the northern side of the outbuilding, this window would look onto the frontages of the neighbouring properties to the north, these frontages are already visible from the public realm. It is therefore considered the installation of a window in this position would have a limited and acceptable impact upon the nearby neighbouring properties.
- 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).

(iv) Biodiversity Net Gain (BNG)

7.11 It is noted that this householder application is exempt from the requirements relating to Biodiversity Net Gain.

8 Conclusion

8.1 The size, siting, design and appearance of the proposal in such a prominent position would be significantly detrimental and out of keeping with the main building and the character of the area and the visual amenities of the street scene. The proposal is therefore contrary to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, the Borough Design Guide 2011 and the National Planning Policy Framework.

9 RECOMMENDATION:

That the Interim Head of Planning be authorised to **Refuse PERMISSION** for application APP/26/000207 subject to the following Reasons:

- 1 The size, siting, design and appearance of the proposal in such a prominent position would be significantly detrimental and out of keeping with the main building and the character of the area and the visual amenities of the street scene. The proposal is therefore contrary to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, the Borough Design Guide 2011 and the National Planning Policy Framework.

Informative:

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 is considered unacceptable for the reasons set out in this Decision Notice.