DELEGATED OFFICER REPORT

PROPOSAL	**Demolition of existing rear conservatory and construction of single storey rear extension to provide craft room and shower room (Amended Plans).**
LOCATION:	206 The Dale, Waterlooville, PO7 5JB.
REFERENCE NO:	APP/26/00273
APPLICANT:	Mr & Mrs Sherlock Kayleigh & Paul Sherlock
APPLICATION TYPE:	Householder planning permission
CONSULTATION EXPIRY DATE:	26/06/2026 (Re-Notification)
APPLICATION EXPIRY DATE:	17/06/2026 (Agreed EOT 10/07/26)
WARD:	Purbrook

SUMMARY RECOMMENDATION: Approve with Conditions

1. Site Description

1.1 The application site is on a rectangular plot on The Dale and contains a two-storey semi-detached property with a front and rear garden. The dwellinghouse is on a strong incline of land to the west and is constructed of facing brickwork, white render and concrete tiles and has an existing timber conservatory to the rear with a raised terrace. The rear garden is mainly laid to lawn with grass and shrubs, containing a small garage and enclosed to all boundaries, with an approximately 1.8m high side wall and a 1.8m high timber fencing on the shared boundary with the attached neighbour at No.204 and the northern side neighbour at No.208 The Dale. There is a residential road of Widley Gardens located to the rear.

1.2 The dwellinghouse has one exit and entrance onto the site from the highway and has an area of hard-surfacing along the northern side, which including the garage on site, can provide a parking provision for three cars. The area is residential in nature where development in the form of rear extensions and loft conversions are present.

2. Planning History

APP/19/00119 - Single storey rear extension with raised terraced area, Conditional Approval 17/04/2019. (not constructed)

3. Proposal

Demolition of the existing rear conservatory and construction of single storey rear extension to provide craft room and shower room. This has been amended by reducing the height of the extension and staircase and including a balcony screen for privacy.

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 Design Guide SPD December 2011

Havant Borough Local Plan (Core Strategy) March 2011
CS16 - High Quality Design
DM8 - Conservation, Protection and Enhancement of Existing Natural Features

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

Emsworth Neighbourhood Plan Post Examination Version 2020
N/A

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

5. Statutory and Non-Statutory Consultations

Caren Diamond No comments received.
Paul Tansom No comments received.
Antonia Harrison No comments received.

6. Publicity and 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: One

Statutory advertisement: N/A

Number of representations received: 1

Comment	Officer Comment
Local resident wishes to comment and object for the following reasons: • Extension increasing from 3000mm to 4000mm. • Existing footprint size is reasonable; • Change from pitched to flat roof will affect light levels; • Extending out by 1000m more will reduce light to our property; • Initial Proposed plans negatively affect daylight.	Due to concerns from local resident, the proposal was reduced in height by 340mm in height of the flat roof and roof-lantern. The internal floor level has been reduced, with a proposed step-down of the floor level, to allow for the reduction of height. Addition of a 1.8m high fence to the steps/half-landing on the southern side to reduce overlooking to the southern neighbour. This is considered to mitigate the impact from the proposal on the attached southern neighbouring property, ensuring that light and overbearing impact would not be significant enough to warrant refusal. The depth of 4m would not be considered to be significant. Other neighbouring rear extension are similar or deeper than the proposal. Only one further representation has been received from the same resident, regarding the amended plans and the re-notification of neighbours. The changes were explained to them, they still had concerns regarding effect of the proposal on their foundations and pointed out the Party Wall Act etc, however, this is not a material consideration of planning, (Building Regulation would control this aspect). Also, an informative has been attached for the Agent/Applicant information, explaining the Party Wall Act.

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)
(v) Ecology

(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 existing house on site is of a period design of the 1950's. This is finished in red brick walls and first floor painted render, under a brown/red plain tiled roof, with white uPVC windows and a light timber front door. The rear elevation of the host dwelling presently contains a raised timber conservatory (due to host dwelling being located on the side of a hill). This site was subject to a permission in 2019 (APP/19/00119) for a single storey rear extension with raised terraced area. This was not constructed and the permission has now expired.

7.4 The present proposal would include the demolition of the existing conservatory and replaced with a raised proposed craft room and shower room extension. This would measure approximately 4m in depth, by a maximum 6.3m in width, to a height of 4m to eaves and 4.5m over the rooflight. The proposal would also include an external access landing and staircase from the French doors to the rear garden space. The external staircase and the extension height have reduced in height by 0.35m, by dropping the internal floor level down from existing and lowering the ceiling height, with the inclusion of a 1.8m high balcony screen on the southern side of this structure. This has been amended due to concerns regarding loss of light and amenity in the rear garden of No. 204 to the south. It would be constructed on the shared boundary with the attached neighbour at No.204 (similar to that of the existing structure) but would leave a gap of approximately 3.8m between side elevations with the northern neighbouring dwelling at No.208. The proposed development would be constructed in matching or similar materials to the existing host dwelling, which is considered acceptable. The proposal would increase the depth of the single storey rear extension by another 1m, however, officers are of the opinion that the proposal would remain subservient to No.206 The Dale owing to its proposed design and reduced scale. This would be considered to be in proportion to the host dwelling, as was the previous approval, and would not result in an excessive depth to the house on site and consider it an acceptable addition.

7.5 The rear aspect of the proposal would not be readily visible within the street scene, due to its location to the rear, and the boundary treatment of walls, fencing and hedging and therefore would be considered acceptable in visual terms within the street scene.

7.6 Therefore, the proposed amended design and appearance of the proposal is deemed appropriate in context to the main building and nearby neighbouring dwellings 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 The proposed development shall be up to the shared boundary line with No 204 and due to the scale and position of the works the extension has the potential to be un-neighbourly. It is noted that concerns regarding loss of daylight and amenity have been raised. This was discussed with the Agent/Architect and amended plans were submitted, reducing the height of the structure and staircase down by 0.35m, making the proposal to be no more than 4m maximum in height on the rear sloping site. Although the amended proposal would be 1m deeper than the existing conservatory, however it would be lower (than the highest part of the conservatory roof), especially now with the amendment of 0.35m in height of the flat roof and that the proposed works shall replace an existing conservatory which has already created an established impact to the attached neighbour.

7.8 One further comment has been received (Objector) following re-notification of surrounding neighbouring residents. The changes were explained to them, via email, they didn't comment further on those issues, but they still had concerns regarding the effect of the proposal on their foundations, and pointed out the Party Wall Act etc. However, this is not a material consideration of planning, (Building Regulation would control the building aspect). Also, an informative has been attached for the Agent/Applicant information, explaining the Party Wall Act. Therefore, the visual impact caused is considered to not be significantly more impacting than the existing and the amended development is considered to be acceptable.

7.9 The works shall technically breach the 45-degree angle, when it comes to light levels reaching the neighbour. However, it is noted that No 206 is to the north of No 204, which would reduce any impact caused to light levels significantly. Furthermore, the proposal on the southern elevation would not contain any windows or openings, ensuring that privacy to the neighbour's raised terrace and rear garden would be improved, rather than having the windows of the existing conservatory face out over No.204's rear property. Therefore, on balance, and due to the works replacing an existing conservatory the development is considered to be acceptable.

7.10 An external access landing and staircase area is proposed to the rear of the extension, which shall allow the occupants to walk down and access the garden. A privacy screen/panel has been proposed to be erected along the south boundary with No 204 to ensure that the landing and staircase does not create over-looking as a result. In order to not increase the impact of the extension proposed, a 1.8m high solid timber screen/panel shall be required to be used for the privacy screen, which shall be conditioned as part of the decision. This is considered to satisfactorily address this matter and protect privacy levels between neighbours.

7.11 The neighbouring dwelling to the north No 208 The Dale shall be set away from the proposed development by approximately 3.8m (elevation to elevation). The works shall stretch to a greater width and depth than the existing conservatory and therefore development shall be in closer proximity to No 208 than previously. However, the development shall retain a set off from the shared boundary by 1.9m which complies with the Borough Design Guide when it comes to acceptable development for single storey works. Furthermore, a flat roof is proposed which shall reduce any visual dominance caused further which alongside no objection being raised from No.208, is considered to result in a limited and acceptable impact to the neighbour.

7.11 Consequently, it is considered that the proposal will not appear overbearing or lead to overlooking and would have limited and acceptable impact on the attached neighbouring property at No.204 The Dale and 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) <u>Biodiversity Net Gain (BNG)</u>

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

(v) Ecology

7.13 The application site has been located to be within 50m of Priority Habitat – Lowland Mixed Deciduous Woodland, however, the works would primarily be at single storey level, in an established domestic garden/site and is a distance away from the woodland. In light of this, unacceptable impacts to protected woodland and protected species are considered unlikely by officers, and this proposal is considered to accord with Policy DM8 of the Havant Borough Local Plan (Core Strategy 2011) and is considered acceptable in this regard.

8 Conclusions

8.1 The amended proposal is considered to be acceptable in design terms and would relate appropriately with its surrounding context. The proposal would not result in any significant adverse impacts on the amenity of neighbouring occupiers, on protected species and no amenity impacts to the street scene. The proposal would therefore meet the requirements of Policies CS16, and DM8 and is recommended for approval.

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9. RECOMMENDATION:

That the **INTERIM DEVELOPMENT MANAGER** be authorised to **GRANT PERMISSION** for application APP/26/00273 subject to the following conditions

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 Uploaded 22 April 2026
Block Plan Uploaded 22 April 2026
Amended Proposed Plan and Elevations with 45 Degree Line 206.02B

Reason: To ensure provision of a satisfactory development.

3 The external materials used 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.

4 Prior to the terraced area being brought into use, a privacy screen constructed of solid timber panel to a height of no less than 1.8m above the finished landing and stairs level shall be erected along the full depth of the hereby permitted landing and stairs area along the south side boundary shared with No. 204 The Dale. The privacy screen shall be retained as such thereafter.

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.

Informatives:

1 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:

- Your application was acceptable as submitted and no further assistance was required.

2 The **Party Wall etc. Act 1996** provides a legal framework in England and Wales to prevent and resolve disputes regarding shared walls, boundary walls, and excavations near neighbouring properties. It is separate from Planning Permission or Building Regulations, and failure to comply can lead to a court injunction stopping your project.

The Act applies if you are planning any of the following specific works in or around your property:

- **Work on an existing wall** or structure shared with another property (e.g., cutting into a party wall, inserting damp-proof courses, or removing a chimney breast).]
- **Building a new wall** on or astride the boundary line.
- **Excavating near a neighbouring building**, generally within 3 meters and below their foundation level, or within 6 meters if it drops below a 45-degree angle from their foundations.

The Standard Process

1. **Serve Notice:** You must serve a formal Party Wall Notice to all affected "adjoining owners" at least 1 to 2 months before work begins, depending on the type of work.
2. **Neighbour's Response:** Your neighbour has 14 days to respond. They can consent in writing (saving you fees), dissent (which automatically creates a dispute), or fail to respond (which is legally treated as a dissent).
3. **Resolve Disputes:** If there is a dissent, you must appoint a Party Wall Surveyor. This can be one agreed-upon "Agreed Surveyor" or each neighbour can appoint their own. The surveyors will draw up a "Party Wall Award" detailing how and when the work will occur, who pays for it, and recording the condition of the neighbouring property before work starts.

To help you get started, review the GOV.UK Explanatory Booklet for official guidance to understand homeowner obligations and surveyor roles.