



## **2 Planning History**

APP/15/00692 - Discharge of Condition No. 2 of Planning Permission APP/14/01104., PERMITTED,06/07/2015

APP/15/00247 - Application for non-material changes to Planning Permission APP/14/01104 relating to re-orientation of roof, reduction of eaves height to western elevation and minor associated alterations to internal layout and elevations., PERMITTED,08/04/2015

APP/14/01104 - Construction of 1No. 4 bed detached house with detached double garage to front, following demolition of existing 3 bed dwelling., PERMITTED,28/11/2014

APP/13/01051 - Conversion of bungalow into 2 storey dwelling and erection of detached double garage to the front of the dwelling., PERMITTED,16/12/2013

## **3 Proposal**

- 3.1 The proposal comprises the erection of replacement detached workshop. The workshop would measure approximately 4.45m high, 8.1m deep and 5m wide .
- 3.2 The proposed workshop would be positioned in the rear garden space of No 48. Originally a single bay garage served No 48 in a similar position to the proposed development. In 2016 it is understood that this was demolished but the hard-standing remained. The applicants positioned a caravan on the site to live in whilst the development was taking place to the dwellinghouse at No 48. Under the planning application reference APP/14/01104 permission was granted for a two bay forward facing garage in the front amenity space of the dwellinghouse in order to park two cars. Permission is now sought for a detached workshop in order for the applicants to store and carry out domestic and basic maintenance to boats. This is proposed in a similar position to the hard-standing remaining from the existing garage and has therefore been put forward in the application as a 'replacement'.
- 3.3 The original proposal has been amended during the planning application process and is now proposed to be 4.45m high, 5m wide and 8.1m deep. The works would be set back from the highway by approximately 38.5m and away from the rear curtilage boundary by approximately 17m. The walls of the building would also be set off the eastern site boundary by 0.9m.

## **4 Policy Considerations**

National Planning Policy Framework 2012

Havant Borough Council Borough Design Guide SPD December 2011

Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS16	(High Quality Design)
DM10	(Pollution)
DM13	(Car and Cycle Parking on Residential Development)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

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

### **Arboriculturalist**

No objection, the workshop is going in the rear garden and will have no impact on any trees.

### **Southern Water**

No comment received

### **Environmental Health**

I have read the application and find the tools to be used document which states that in the main hand tools are to be used, at time small power tool. I have no concerns about this application. However, can we add the usual informative, no bonfires, permitted hours of operation, dust

**Planning Officer Comment:** These development stage informatives shall be included as part of the decision if planning permission is granted.

## **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: 15

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 30 objections

Due to the similar points raised in relation to the proposal the objections have been grouped together. It should be noted that the objections raised in relation to each iteration of the proposal are included in summary for completeness.

### **Neighbouring Amenity**

The size of the workshop would suggest that the owner intend to undertake fairly large projects with accompanying disturbance.

The building shall have a significant adverse impact on the amenity of No 46. It is imposing, out of keeping and it will overshadow neighbours gardens.

Concerned over the potential noise level and disturbance caused.

Building will block out light, cause shadowing and cause upset

The height shall have an impact on neighbouring dwellings

The rooflights shall cause over-looking and light pollution in garden space

**Officer Comment:** The rooflights are now re-positioned to the west elevation and no first floor is proposed to the building.

Building is obtrusive, obstructive, large and bulky. It will dominate views from my bedroom, living room and kitchen.

It will impact neighbours amenity and public visual amenity

There is degradation and impact by reducing the quality of our lives

If used as a business this shall cause noise and disturbance, generation of waste, pollution and noise of increased traffic along the shared drive and possible obstruction of access to my garage.

**Officer Comment:** A condition is recommended which would prevent business use without a further planning consent.

Development causes a sense of enclose and increases the build density

De-value my property

**Officer Comment:** This is not a material planning consideration.

What provision has been made to take away storm water? Can the soakaway handle this increase capacity? What impact will this have on my drainage systems?

**Officer Comment:** The development shows guttering and down pipes to intercept water from the roof. The development would require Building Regulations and surface water drainage requirements would be assessed under this procedure.

### **Visual Amenity and Character of the area**

Development is too big for a domestic workshop. This is a significant and imposing building on the site. Should be described as an industrial unit and should not be higher than the adjacent garage at 2.5m. If built to 2.5m high, 4m wide and 6m long it would be more in keeping

**Officer Comment:** This application has been assessed on its own planning merits

The development will be an eyesore for neighbours and cause over-looking

This will reduce the peaceful and leafy surroundings of our back garden

Building is different in character and appearance to any other buildings other than the main house and will further negatively impact the character of the neighbourhood.

It is a large and imposing building that shall be visible from a considerable distance from the neighbours and public realm.

It will dominate its environment, its surroundings and the people that have to live and relax within sight of it. It will prevent views of the trees, wildlife, skies and sunsets.

If approved this could set a precedent for other developments causing over-development of green spaces. If allowed I presume that I can also have a sail loft in my garden?

**Officer Comment:** Any applications received would be considered on their own planning merits

The works would constitute over-development of the site when all the previously approved works have been built.

**Officer Comment:** The overall site is substantial and it is not considered that the current proposal together with the dwelling and front garage would constitute over development of what is a substantial plot.

Workshop is against Councils policy and does not accord with Havant Boroughs Design Guide, core strategy CS13 and CS16.

The materials proposed for the building are out of character with the area.

Works do not maintain or enhance the landscaped area

Trees shall be impacted as a result

### **Issues with the application**

The additional building shall worsen the impact of the dwellinghouse further

Havant Borough Council failed to inform us of the development. Concern over neighbours notified. This is a repeated failure of HBC to follow the due notification process

**Officer Comment:** Initial issues in relation to neighbour notification have been addressed during the consideration of the planning application and notification is in accordance with the Councils Statement of Community Involvement.

Outbuilding is not a replacement workshop. Although it was used as a workshop its purpose was a garage.

Being allowed to build a garage to the front and now a workshop to the rear is a step too far.

We do not consider the erection of a specialist building necessary to enjoy a hobby.

Don't know what it's been reduced by and this should be clear. It is not clear what reduction is proposed. It should be annotated. It would seem sensible to refer to actual height/length

**Officer Comment:** The revised plans are to scale and therefore the proposals can be fully assessed.

Concerns regarding buildings description

Block Plan is inaccurate

**Officer Comment:** Block plans are only required to show the application site accurately. A site visit permits an assessment of neighbouring dwellings properties and gardens.

Planning Statement contains incorrect information in terms of the sites history, description, proposed works and use. There is no justification provided. Workshop is larger than described.

**Officer Comment:** The consent proposed is being considered on its merits and the plans submitted are to scale and can be fully assessed.

### **Comments on the previous planning application**

A garage has been permitted in the front which goes beyond the building line which would set a precedent and is detrimental to the lovely village of Emsworth.

I also note the failure of the authority to ensure their own decisions (opaque glass)

There is a loss of light caused by the main building

Main building of 48, Kingsey House and new development shall cause a sense of enclosure.

**Officers Comment:** Concerns raised in relation to the existing house and approved front garage are not relevant to the determination of the current application. Any alleged breaches of planning conditions need to be addressed separately.

## **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) Potential issues from the workshop use
- (v) Trees
- (vi) Drainage

(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.

7.3 Although the developments use and purpose has been debated in many of the representations submitted as part of the proposal the applicant has the right to apply for permission for the workshop where a careful and measured assessment shall take place as part of the consideration of the planning application. This has been carried out below.

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

7.4 Concern has been raised that the proposed workshop shall look out of character to the locality of the area and would adversely impact the visual amenity from the streetscene. Following a site visit it was noted that No 48 is very adequately screened when approaching from the west due to mature trees, vegetation and hedging being in place around the front curtilage boundary. Whilst the works shall be positioned in a part of the application that is more open to view between No's 48 and 46, the works would be set back from the highway by approximately 38.5m which is considered a substantial distance to reduce the visual impact caused as a result. Although fairly large in size the building would be positioned, in part behind the existing dwellinghouse, screening the development from Havant Road and therefore, the proposal is considered to have a limited and acceptable impact to the visual amenity of the streetscene. It is also noted that other outbuildings are a feature in the rear gardens of the dwellings along Havant Road. There is also a large coach house that has recently been developed to the rear of the application site at Kingsey House.

7.5 The proposed workshop has been reduced in scale to the originally proposed building during the planning application process. The buildings scale and height is, however, partly dictated by its proposed use for boat storage/maintenance. Although the development would have a relatively high ridge height of approximately 4.45m, the proposed eaves height is modest at approximately 2.35m which is a marginal increase in height over the existing boundary in place between No 46 and No 48. It is noted that there is a single bay flat roof garage at No 46 which is approximately 0.9m off the shared boundary with No 48. The workshop has also been designed to have a pitched roof gradually increasing height away from east and No 46. A workshop to the originally proposed scale was considered to be overly large for its use and coupled with multiple objections from neighbouring dwellings over the workshop's size, it was recommended that the workshop was reduced in scale and moved further back into the application site to the south in order to reduce its dominance. A revised proposal was submitted with the proposed workshop having a 4.45m ridge height, 2.35m eaves height, 8.1m depth and 5m width. This reduction coupled with the works being set off the shared boundary, being partly screened by the existing dwellinghouse and set away from the highway by 38.5m is considered to result in a development that would not be harmful to the character and appearance of the area.

7.6 The proposed workshop is fairly large in size and concern has been raised that this development alongside the previously approved but yet to be built front garage would cause over-development of the application site and crowding. Although a modest level of development has occurred at No 48 this has been in the majority to replace a dwellinghouse that was previously present. The site also benefits from a large and generous plot size and therefore despite the proposed new workshop a large and more than adequate amenity space shall be retained as a result ensuring that the works have an acceptable impact which would not lead to over-development at No 48.

- 7.7 The materials proposed for the workshop are similar those of the existing dwellinghouse. It is considered that by reflecting the materials to those of No 48 the development would complement the existing dwelling. Havant Road contains a mixture of dwellings that differ in style and design and therefore the palette of the materials proposed for the workshop are not considered unacceptable within the greater streetscene. A zinc roof is proposed and it is considered appropriate to require the submission of material details/finishes in order to ensure a suitable appearance for the building.
- 7.8 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

- 7.9 The neighbouring dwellings that have the potential to be impacted as a result of the development are the adjacent neighbours No 46 and No.50 Havant Road, and No.7 Kingsey Avenue, Kingsey Cottage and Kingsey House to the rear of the site. It is however noted that multiple objections have been made by other nearby dwellings within the area.
- 7.10 Concern has been raised by the neighbouring dwelling No 46 that the proposed workshop would appear over-bearing and would impact the outlook from the windows in the rear elevation of the dwellinghouse. No 46 was also concerned about over-looking being caused from the proposed rooflights in the east roof elevation however the plans have since been amended which move these rooflights to the west roof elevation which is considered to satisfactorily address this concern.
- 7.11 A site visit was performed to No 46 in order to assess the potential impact caused. No 46 has a single bay flat roof garage in their garden space approximately 10m back from the rear elevation of the dwellinghouse. Two windows are within the rear elevation at ground floor serving a kitchen and a dining room. The kitchen window sits in a projected single storey extension to the rear. At first floor there are two windows present serving habitable rooms. Following this visit it was agreed that the development had the potential to appear over-bearing to the neighbouring dwelling and in particular the ground floor kitchen window. As there was concern with the proposed workshops overall scale the applicant was asked to reduce the scale of the development and move it back further into the rear garden space by an additional 3m in order to set the works away from the rear elevation of No 46. This has been done meaning that the proposed workshop is now approximately 9m away from the kitchen window in the rear projection and approximately 13m from the dining room window in the ground floor rear elevation. The development is also set off the shared boundary by approximately 0.9m and has an eaves height of 2.3m which is just above the existing boundary fence between the dwellings similar in height to the garage within the amenity space of No 46.
- 7.12 The works have been designed so that the roofs height is gradual and sloped away from No 46 further reducing the impact and apparent height and bulk of the building. It is considered that this amendment in the developments scale and position within the application site would reduce the impact caused to ground floor windows at No 46 and would ensure that the development would not appear overly oppressive to the outlook.

- 7.13 Due to the position of the workshop light levels have the potential to be impacted reaching No 46 however this would only be to mid-afternoon and early evening sun and due to the distances between the proposed workshop and No 46 coupled with a design of the roof it is considered that the impact caused would not be sufficient enough to warrant a refusal of planning permission resulting in a limited and acceptable impact.
- 7.14 The neighbouring dwelling to the west No 50 has submitted comments in relation to the proposed development concerned with the scale of the development and it being un-neighbourly. The proposed workshop is positioned towards the west side of the rear garden of No.48 and as such shall be set away from the shared boundary with No 50 by approximately 12m and the neighbouring dwellinghouse by approximately 24m. No 48 itself would provide partial screening of the development due to No 50 being set forward in its plot compared to No 48 and No 48 being larger in size and closer to the curtilage boundary. The distance between the proposed development and No.50, coupled with the developments position in the application site is considered to result in an acceptable relationship with No 50 and as such, is not considered to be un-neighbourly. Although rooflights are proposed within the detached workshop these would be at a high level and would not cause unacceptable over-looking.
- 7.15 Comments have been made by the occupants of properties to the rear in relation to the impact caused to them by the proposed development. Although the works have been moved further into the rear garden space of the dwelling the distance of the proposed works to the shared curtilage boundary to the south is approximately 17m with the distance between the proposed development and neighbouring dwelling being approximately 23.5m from the dwellinghouse. This is considered to be a generous distance between the works and neighbouring dwellings to the south and would be sufficient enough to reduce the works visual impact. The works would not cause a shadowing or over-bearing appearance as a result and would comply with guidance stipulated in the Borough's Design Guide when it comes to acceptable distances between developments and neighbouring dwellings.
- 7.16 Consequently, it is considered that the proposal is unlikely to 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) Potential issues from the workshop use

- 7.17 Concern has been raised that the proposed use of the site would cause noise and that with the buildings size that the workshop would be used as an industrial business which would have added impacts to parking, blocking access and noise. Given the size of the proposed workshop an explanation was sought from the applicant in relation to the workshops use. It was confirmed that this was for the storage and domestic maintenance of boats and was to serve the families hobby and not be used as a business. As such a condition is recommended if permission is granted to control the use of the workshop and ensure its only used as a store for parking boats or cars. This would ensure that the workshop is not used as a business without first seeking approval by the Local Planning Authority.
- 7.18 The Councils Environmental Health team have been consulted with in relation to the equipment and repair work the applicants are proposing to carry out and whether this would generate an unacceptable level of harm. This has been met with no objection due to the domestic scale of repair work proposed.

(v) Trees

- 7.19 The application site has trees present which are protected under Tree Preservation Orders and these are to the front of the dwellinghouse of No 48. As part of the application the Arboricultural Team have been consulted with to determine whether significant harm would be caused to them as a result and due to the development being set sufficiently far back from the trees in question no objection has been raised and the impact caused is considered to be limited and acceptable.

(vi) Drainage

- 7.20 Concern has been raised with regards to the drainage of the site. The proposed workshop has been submitted showing the guttering position and downpipes on the structure to ensure that storm water and any surface water drainage is caught and directed appropriately. This would ensure that the neighbouring dwellings are protected from any direct additional service water run off. The building would be subject to Building Regulations where the appropriate design of surface water drainage can be assessed.

## **8 Conclusion**

- 8.1 In conclusion it is considered that the scale, siting and design of the proposal would have limited and acceptable impact on the character and appearance of the area. The impact on neighbouring residents has been carefully considered and amended plans received. These reduce the impact of the development such that the proposals are now considered, on balance, to result in an acceptable relationship to neighbouring properties. Planning permission can therefore be recommended subject to appropriate conditions.

## **9 RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/18/00151 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:

Site Plan: Drawing No 1193-01 REV B

Block Plan: Drawing No 1193-02 REV B

Shade Analysis: Received 02.04.2018

Streetscene Plan: Received 02.04.2018

Proposed Floor/roof plan and Elevations: Drawing No 1193\_10 REV A

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

- 3 The garage hereby permitted shall be retained and kept available for the parking of boats and or cars at all times and shall not be converted to living accommodation or used as a business.  
**Reason:** In the interests of the amenities of neighbouring properties having due regard to policies CS16 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 4 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and a full specification of the materials to be used externally on the building have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.  
**Reason:** To ensure the appearance of the development is satisfactory and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Appendices:

- Appendix A: Location Plan
- Appendix B: Proposed Block Plan
- Appendix C: Proposed Elevations
- Appendix D: Proposed Floor and Roof Plan
- Appendix E: Street Scene