

COMMITTEE REPORT

APPLICATION NO.	23/00100/HOU
LOCATION	15 Carthona Drive Fleet Hampshire GU52 7SF
PROPOSAL	Erection of a first floor side extension with front dormer
APPLICANT	Dr Payne And Mr Wallis
CONSULTATIONS EXPIRY	10 February 2023
APPLICATION EXPIRY	16 March 2023
WARD	Fleet Central
RECOMMENDATION	Grant subject to conditions



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BACKGROUND

The application is brought to Planning Committee in line with the Council's Constitution as the applicant is an employee of Hart District Council within the Place Directorate.

DESCRIPTION OF THE SITE

15 Carthona Drive is a detached dwelling that is located to the east of the highway. The

surrounding area is predominately residential. The site is not located in a Conservation Area, neither in an area that is under the control of Article 4 directions.

PROPOSAL

The application seeks planning permission for a first-floor side extension with a front dormer. This is intended to measure 5.49 metres in depth, 6.78 metres in height, and 4.56 metres in width.

RELEVANT PLANNING HISTORY

20/01508/HOU Erection of a first-floor rear extension. Granted 10/08/2020.

CONSULTEE RESPONSES

Fleet Town Council

No Objection: in principle but suggest that:

Slightly changing the angle of the front catslide roof to match the ridge level of the existing property would possibly improve the design.

Ecology Consult (Internal)

The property is a modern (post-1960s) development, located in a suburban setting, and I have no records of protected species relevant to this application. The proposals are unlikely to impact on bats and on this basis, I have no objection to this application. If permission is granted and a bat is subsequently discovered, works should stop immediately, and Natural England should be contacted. Further survey and / or licensing may then be required for the works to proceed.

PUBLIC COMMENTS

None received.

RELEVANT PLANNING POLICY

Hart Local Plan (Strategy & Sites) 2032 (HLP32):

- SD1 Sustainable Development
- NBE4 Biodiversity
- NBE5 Managing Flood Risk
- NBE9 Design

Hart District Local Plan (Replacement) 1996-2006 'saved' policies (HLP06):

- GEN1 General Policy for Development
- CON8 Trees, Woodlands and Hedgerows: Amenity Value

Fleet Neighbourhood Plan 2018-2032

- Policy 10 General Design Management policy
- Policy 19 Residential Parking

Other Material Documents

- National Planning Policy Framework (2021)
- The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)
- Site layout planning for daylight and sunlight: a guide to good practice (BR209) (2022)
- Planning Technical Advice Note: Cycle and Car Parking in New Development (August 2022)

CONSIDERATIONS

Principle of Development

The application site is situated within the settlement of Fleet where there is a presumption in favour of sustainable development provided that the proposal is in compliance with development plan policies and that no unacceptable harm to residential amenity, highway safety or any other material planning considerations arise. Therefore, in principle, the proposal is considered an acceptable form of residential development.

Design and Visual Impacts

The acceptability of the proposal is required to have regard to Policy GEN1 of the HLP06 and Policy NBE9 of the HLP32 which state that all developments should seek to achieve a high-quality design and positively contribute to the overall appearance of the local area and are in keeping with the local character by virtue of their scale, design, massing, height, prominence, materials, layout, landscaping, siting and density.

Policy GEN1 of the HLP06 also emphasises that sustainable development should be permitted provided that the proposal does not result in any material loss of amenity to adjoining neighbours, among other considerations.

Policy 10 of the Fleet Neighbourhood Plan states that development shall complement and be well integrated with neighbouring properties in the immediate locality in terms of scale, density, massing, separation, layout, materials and access and architectural design shall reflect high quality local design references in both the natural and built environment and reflect and reinforce local distinctiveness.

The application property is situated within a row of similar two-storey, detached dwellinghouses. The dwellings are of varying colouring regarding their materials. It should also be noted that it appears that a number of properties within the immediate vicinity have been extended and altered over time, in particular by way of single storey side additions, therefore the proposed development would not be considered out of keeping with the wider street scene.

The proposal would not dominate or compete with the character of the host dwelling and as such would be a subservient addition. The proposal would not extend past the existing building line, as a result rear amenity space to serve the occupants of the dwelling would be retained. The existing dwelling is constructed from brickwork and concrete roof tiles. The submitted plans show that the materials will remain similar to those on the dwelling.

Paragraph 134 of the NPPF states; 'Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents which use visual tools such as design guides and codes.'

Paragraph 134 (c) sets out that outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

The design policies of the Development Plan are the only relevant local documents in this respect.

The use of matching materials is therefore considered appropriate, and the proposal would not be harmful in terms of visual amenity. The proposed catslide roof design is considered to be appropriate. As also set out in the sub-text to Policy GEN1 of the HLP06, the Local Planning Authority is only able to refuse planning permission where it would cause demonstrable harm.

Impact on Residential Amenity

Policy GEN1 of the HLP06 emphasises that sustainable development should be permitted provided that the proposal does not result in any material loss of amenity to the occupiers of neighbouring properties, among other considerations.

The proposed extension would be located in close proximity to the boundary, with an approximately a 1.76 metre gap between the application site and 13 Carthona Drive which is located to the north. The only dwelling that would be considered to be impacted by the proposed development is 13 Carthona Drive which is located to the north of the application site. However, despite the close proximity it would not be considered that an adverse loss to residential amenity would occur as a result of the development to the occupiers of 13 Carthona Drive.

The proposal would protrude past the original rear wall of 13 Carthona Drive by approximately 3.55 metres. However, when a loss of light assessment is undertaken in conjunction with Building Research Establishment (BRE) guidelines, with a 45-degree angle drawn from the pitch of the proposal in the direction of 13 Carthona Drive, this would pass below the nearest first floor window at 13 Carthona Drive in proximity to the application site. While the line would intersect with a single storey rear extension that is present at 13 Carthona Drive, the proposal would end prior to the end of this single storey rear extension.

13 Carthona Drive has constructed a single storey rear extension following the grant of planning permission. The plans from the application and site visit as part of the current planning application show that there are multiple light sources to this neighbouring single storey rear extension. Although a side elevation window does look in the direction of the application site, this is not considered to be a primary light source.

The implementation of side facing windows at first floor level and above into the proposal can be controlled via planning condition. The front dormer would look towards the streetscene, and therefore would not cause an adverse impact on residential amenity to other dwellings over and above the existing situation.

The proposal is therefore not considered to detract from the amenities of neighbouring dwellings. As such the proposal would comply with saved Policy GEN1 of the HLP06.

Parking and Highway Safety

Policy GEN1 of the HLP06, Policy INF3 of the HLP32 and Policy 19 of the Fleet Neighbourhood Plan state that all developments should provide appropriate parking provision in accordance with the Council's parking standards.

Hart cycle and car parking standards are set out within a Technical Advice Note (TAN) which states that 3 allocated and 0.5 unallocated spaces should be provided for a 4-bedroom dwelling and 3 allocated and 1 unallocated space for a 5-bedroom dwelling.

The block plan shows sufficient space for four vehicles to be accommodated on the driveway. The proposed plans show the proposal being used as a games room, but even if the number of bedrooms was increasing to five, the number of parking spaces required by the TAN could be accommodated on the driveway.

The proposal is therefore not considered to give rise to any detrimental implications on the parking arrangements. The proposal therefore complies with saved Local Plan Policies GEN1 and INF3.

Biodiversity

Policy NBE4 of the HLP32 states that all developments should protect and enhance biodiversity. The Local Planning Authority has a duty under the Natural Environment and Rural Communities Act 2006 to have full regard to the purpose of conserving biodiversity, which extends to being mindful of the legislation that considers protected species and their habitats and to the impact of the development upon sites designated for their ecological interest.

The Council's Biodiversity Officer has raised no objection to the application, identifying that the application site is located in a suburban setting, and that there are no records of protected species relevant to this application, they went on to state that the proposals are unlikely to impact on bats. The Biodiversity Officer did comment that if permission is granted and a bat is subsequently discovered, works should stop immediately, and Natural England should be contacted. Further survey and / or licensing may then be required for the works to proceed. Accordingly, an informative is recommended.

The Local Planning Authority has therefore considered the possible impact of the development and can be reasonably certain that biodiversity would not be adversely affected. Therefore the proposal would comply with Local Plan Policy NBE4.

Drainage and Flood Risk

The site is located within an area designated by the Environment Agency as being within Flood Zone 1, which is deemed to have a low probability of flooding. The highway of Carthona Drive itself is designated to be in an area of surface water flooding as defined by Hart District Council. The proposal is also not extending the property outside of an existing area and would not involve land within the area of existing surface water flooding issues. Therefore, matters relating to Drainage and Flood Risk would not be regarded to be an issue.

Trees

Policy CON8 of HLP06 allows development that does not have an adverse effect on the long-term health of trees with amenity value. Policy NBE9 of the HLP32 states that developments

shall incorporate any on-site or adjoining landscape features such as trees and hedgerows. Policy 10 of the Fleet Neighbourhood Plan seeks to retain existing mature hedging and established trees.

There is a tree subject to a Tree Preservation Order that is located on the site. The proposal would be situated approximately 14 metres from the protected tree at its nearest point and would not be extending further towards it than the existing dwelling due to being constructed on top of the existing garage.

Therefore, the Local Planning Authority has considered the possible impact of the development and can be reasonably certain that protected trees would not be adversely affected. Therefore, the proposal would comply with Policy CON8 of the HLP06 and Policy NBE9 of the HLP32. The applicant can be advised of the presence of a protected tree on the site by way of an informative.

Climate Change and Equality

Given the scale of the proposal it is not considered to raise any significant climate change issues. An informative has been included to remind the applicant of ways to minimise effects of their development on climate change.

In determining this application the Council, as required, had regard to its obligations under the Equality Act 2010. There has been no indication or evidence (including from consultation on the application) that the protected groups as identified in the Equality Act have, or will have, different needs, experiences, issues and priorities in relation to the particular planning application. Therefore there would be no significant adverse impacts as a result of the proposed development on protected groups.

CONCLUSION

Applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The proposal meets the policy requirements for the Development Plan. The proposal will be acceptable, will cause no demonstrable harm and is therefore recommended for approval subject to conditions

RECOMMENDATION – Grant subject to conditions

CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004 and Section 91 of the Town and Country Planning Act 1990 (as amended) to prevent an accumulation of unimplemented planning permissions.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans and documentation received on 19.01.2023 by the Local Planning Authority:

Block and location plans 02a Existing and proposed plans 01b Tree survey

Reason: To ensure that the development is carried out in accordance with the approved details.

- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as specified in the application form and as annotated on the approved plans.

Reason: In the interests of visual amenity and in accordance with Local Plan Policy GEN1 of the Hart District Local Plan (Replacement) 1996-2006 Saved Policies and Policy NBE9 of the Hart Local Plan (Strategy & Sites) 2032.

- 4 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting this Order with or without modification), no additional windows or doors shall be constructed in the north facing side elevation of the first-floor extension hereby permitted.

Reason: To respect the privacy of the occupiers of the neighbouring property and to satisfy Policy GEN1 of the Hart District Local Plan (Replacement) 1996-2006 Saved Policies.

INFORMATIVES

- 1 The applicant is advised that under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017, bats are a protected species, and it is illegal to intentionally or recklessly damage, disturb or destroy a bat or its habitat. If any evidence of bats is found on site, Natural England must be informed and a licence for development obtained from them prior to works continuing. For further information go to www.naturalengland.org.uk or contact Natural England (S.E. regional office) on 0238 028 6410.
- 2 You may require Building Regulations Consent and we advise that you should contact Building Control on 01252 398715.
- 3 Hart District Council has declared a Climate Emergency. This recognises the need to take urgent action to reduce both the emissions of the Council's own activities as a service provider but also those of the wider district. The applicant is encouraged to explore all opportunities for implementing the development approved by this permission in a way that minimises impact on climate change.
- 4 The applicant is advised to make sure that the works hereby approved are carried out with due care and consideration to the amenities of adjacent properties and users of any nearby public highway or other rights of way. It is good practice to ensure that works audible at the boundary of the site are limited to be carried out between 8am and 6pm Monday to Friday, 8am and 12 noon on Saturdays with no working on Sunday and Bank Holidays. The storage of materials and parking of operatives' vehicles should be normally arranged on site.
- 5 Please note that a tree on this site is protected by a Tree Preservation Order. The legislation protecting this tree overrides Permitted Development under the Town and Country Planning (General Permitted Development) (England) 2015 (or any order revoking and re-enacting that order with or without modification). Prior written consent must be obtained from the Council's Tree Service before undertaking any works which require the removal and/or pruning of a protected tree or may affect/cause damage of

any description to its canopy, trunk or root system and subsequent health, stability and survival in any way. Typically, such works include but are not limited to the laying of hard surfaces of any description, foundations for garden structures, construction of retaining walls, topsoil stripping, excavation/alteration to existing ground conditions, or any other description near trees. Any pruning, removal of a protected tree as a result of such works, without the necessary consent or any damage arising from non-compliance with this requirement may be liable to prosecution by the Council.

6. The Council works positively and proactively on development proposals to deliver sustainable development in accordance with the NPPF. In this instance:

The applicant was advised of the necessary information needed to process the application and, once received, the application was acceptable and no further engagement with the applicant was required.