

296 LABURNUM GROVE PORTSMOUTH PO2 0EX

CONSTRUCTION OF SINGLE STOREY REAR EXTENSION

LINK TO DOCUMENTS:

Application Submitted By:

Mr Edward Kercher, Collective Studio

On behalf of:

Mr Noel Forrest

RDD: 2nd August 2022

LDD: 26th October 2022

1.0 SUMMARY OF MAIN ISSUES

1.1 This application is brought before Planning Committee due to the number of objections (three), and because it is associated with another application at the same premises elsewhere on this agenda (ref. 22/01035/FUL).

1.2 The main issues for consideration in the determination of the application/appeal are considered to be as follows:

- The principle of development;
- Design
- Amenity impacts upon neighbouring residents;
- Any other raised matters.

2.0 SITE AND SURROUNDINGS

2.1 The application relates to a two-storey, mid-terrace dwellinghouse (Class C3) located on the southern side of Laburnum Grove as shown in **Figure 1** below. The dwellinghouse is set back from the road by a small front forecourt and to the rear of the property is an enclosed garden.

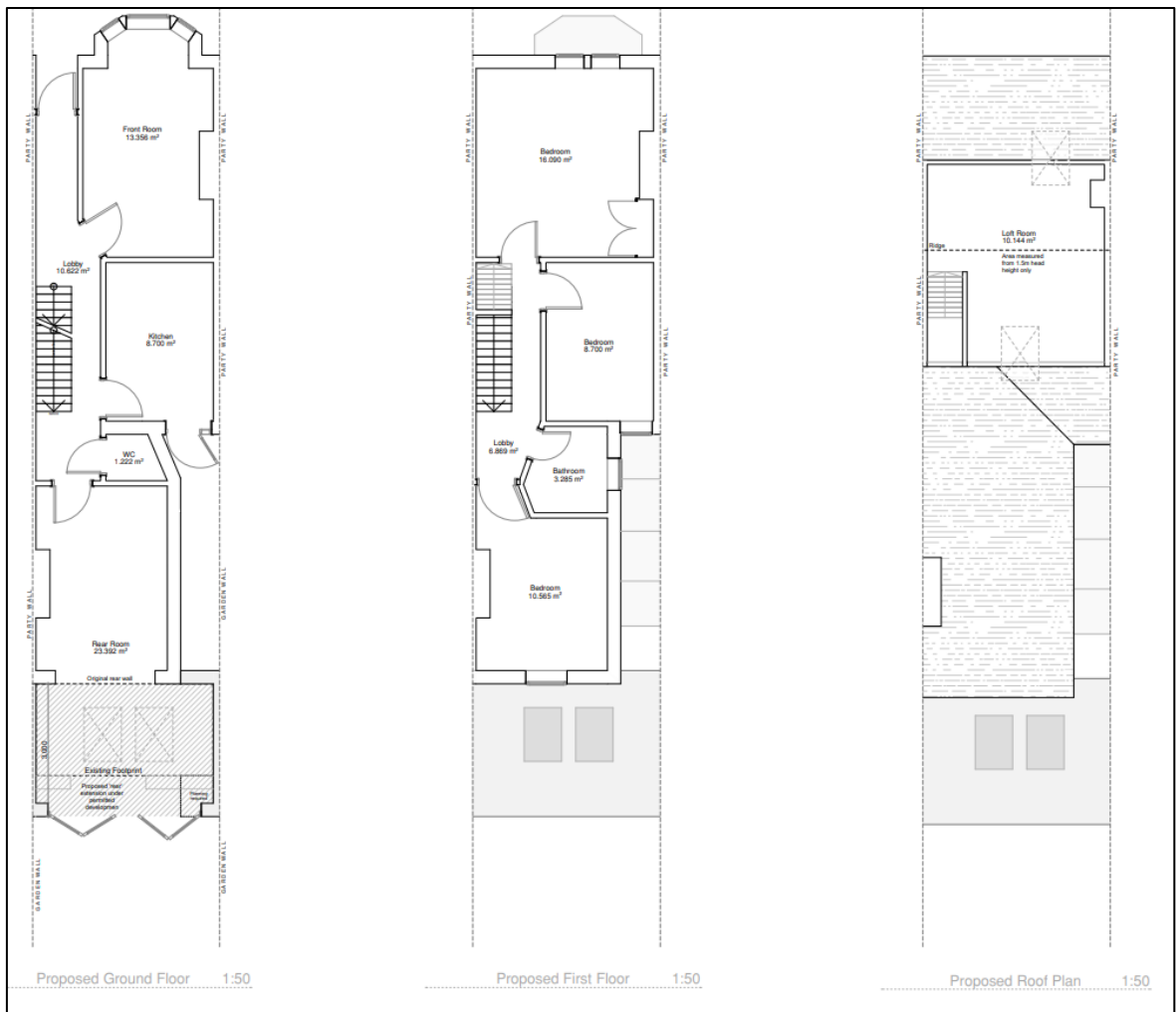
2.2 The application site is within a predominantly residential area characterised by rows of similar two-storey terraced properties with a similar visual style.



Figure 1 - Site Location Plan

3.0 THE PROPOSAL

- 3.1 Planning permission is sought for the construction of a single storey rear extension.
- 3.2 The proposed extension would measure 2.9m in height, and 3.3m in depth and 4.3m in width and would replace an existing single storey element. The extension would be 0.9m² deeper than the existing. The extension would be finished with a flat roof and be finished in brickwork to match the existing building with a set of uPVC bi-fold doors. The extension would include two roof lights.



Figures 2 and 3 - Proposed Elevations and Plans

4.0 PLANNING HISTORY

- 4.1 It is noted there is a currently pending application for the change of use of the property from a dwellinghouse (Class C3) to a dwellinghouse (Class C3) or House of Multiple Occupation (HMO) (Class C4) use with up to six individuals living together' under Planning Ref: 22/01035/FUL. This application is elsewhere on this same agenda.

5.0 POLICY CONTEXT

Portsmouth Plan (2012)

- 5.1 In addition to the aims and objectives of the National Planning Policy Framework (2021), due weight has been given to the relevant policies within the Portsmouth Plan (2012), which include:

- PCS23 (Design and Conservation).

Other Guidance

- 5.2 Guidance for the assessment of applications that is relevant to the application includes:

- National Planning Practice Guidance (revised 2021)

6.0 CONSULTATIONS

- 6.1 None.

7.0 REPRESENTATIONS

- 7.1 3 representations have been received objecting to the proposed development:

- a) Loss of light from proposed extension and dormer.

8.0 COMMENT

- 8.1 The main determining issues for this application relate to the following:

- The principle of development;
- Design;
- Impact on the neighbouring living conditions; and
- Any other raised matters

Principle of development

- 8.2 The proposal relates to an extension of an existing residential property, extensions to which are deemed to be acceptable in principle, subject to the below material considerations.

Design

- 8.3 Policy PCS23 of the Portsmouth Plan echoes the principles of good design set out within the National Planning Policy Framework which requires that all new development: will be of an excellent architectural quality; will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; will establish a

strong sense of place; will respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation; relates well to the geography and history of Portsmouth and protects and enhances the city's historic townscape and its cultural and national heritage; and is visually attractive as a result of good architecture and appropriate landscaping.

- 8.4 The proposed extension would be located to the rear of the existing property and replace an existing single storey extension with a minor increase in the overall footprint of the built form. It is considered to be a minor intervention and addition to the site and would be finished in materials to match and complement the existing property. Overall, the extension is considered to be appropriate in its scale, form and materials and is acceptable in its design and therefore accords with Policy PCS23 of the Portsmouth Plan.

Impact on neighbouring living conditions

- 8.5 Policy PCS23 of the Portsmouth Plan includes, amongst other things, that new development should ensure the protection of amenity and the provision of a good standard of living environment for neighbouring and local occupiers as well as future residents and users of the development.
- 8.6 The neighbouring property to the east (No.298 Laburnum Grove), would have originally been set away from the site by a shared lightwell, though both properties have since built within this lightwell - at the end of each original rear wing. The proposed extension would extend past the footprint of the existing rear extension by 0.9m. The two properties are divided by a boundary fence to an approximate height of 1.7m. The extension would measure 2.9m in height with a flat roof and therefore would present a consistent 1.2m of wall above the boundary. The removed extension at its lowest point is the approximate same height as the proposal but rises in height with its pitched roof. So, while longer, the proposed extension would generally be lower than the existing. Overall, the effect on the neighbour's outlook and light may be deemed to be neutral, and therefore acceptable.
- 8.7 The neighbouring property to the west (No.294 Laburnum Grove), features a single storey rear offshoot which extends past the existing footprint of the application site by approximately 1.2m. The proposed extension would build out past the existing footprint of the building by 0.9m. It is therefore considered that the neighbouring extension would still extend past the extension as proposed. The neighbouring single storey element does not feature any side facing windows and as such there would be no impact on the amenity of this neighbouring occupier.
- 8.8 The property is set away from the neighbour to the rear (south) No.13 Epworth Road by approximately 18.5m. Given the height of the proposed extension and the stated separation distance it is not considered that the proposal would give rise to any impact on the amenity of these neighbours.
- 8.9 The scheme is therefore, on balance considered to be acceptable in regards to its impact of the surrounding neighbour amenity and accords with Policy PCS23 of the Portsmouth Plan.

Community Infrastructure Levy (CIL)

- 8.10 The development would not be CIL liable as there would be no increase in the Gross Internal Area of the application property.

Human Rights and the Public Sector Equality Duty ("PSED")

- 8.11 The Council is required by the Human Rights Act 1998 to act in a way that is compatible with the European Convention on Human Rights. Virtually all planning applications engage the right to the enjoyment of property and the right to a fair hearing. Indeed, many applications engage the right to respect for private and family life where residential property is affected. Other convention rights may also be engaged. It is important to note that many convention rights are qualified rights, meaning that they are not absolute rights and must be balanced against competing interests as permitted by law. This report seeks such a balance.
- 8.12 Under section 149 of the Equality Act 2010, the Council must have due regard to the need to eliminate discrimination, harassment, or victimisation of persons by reason of their protected characteristics. Further the Council must advance equality of opportunity and foster good relation between those who share a relevant protected characteristic and those who do not. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 8.13 One of the neighbours living next door to the application site has objected to the 'sister application' for the proposed C3/C4 use, elsewhere on this agenda (ref. 22/01035/FUL). Concerns have been raised about a disability and struggling with changes to routine and with large amount of noise associated with construction work. The same points are already being addressed with the sister application and therefore are also noted in a little more detail in the Officer Report for that application elsewhere on this agenda. Having had due regard to the public sector equality duty as it applies to those with protected characteristics in the context of this application, it is not considered that the officer's recommendation would breach the Council's obligations under the Equality Act 2010.

9.0 CONCLUSION

- 9.1 Having regard to all material planning considerations and representations it is concluded that the proposed extension is acceptable and would be in accordance with the relevant policies of the Portsmouth Plan (2012) and the objectives of the National Planning Policy Framework (NPPF) (2021).

RECOMMENDATION Conditional Permission

Conditions

Time Limit:

- 1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission. Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

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Approved Plans:

- 2) Unless otherwise agreed in writing by the Local Planning Authority, the permission hereby granted shall be carried out in accordance with the following approved drawings - Drawing numbers: Proposed Floor Plans - 095 - PL 03; and Proposed Elevations - 094 - PL 04.

Reason: To ensure the development is implemented in accordance with the permission granted.

Matching materials:

- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match, in type, colour and texture those on the existing building.

Reason: In the interests of visual amenity in accordance with policy PCS23 of the Portsmouth Plan.