

23/01592/FUL

WARD: HILSEA

350-352 LONDON ROAD HILSEA PORTSMOUTH PO2 9JY

**CONSTRUCTION OF TWO STOREY REAR EXTENSION (FOLLOWING REMOVAL OF EXISTING GROUND FLOOR EXTENSION) WITH GABLE END ROOF ENLARGEMENT, ASSOCIATED FENESTRATION AND SOLAR PANELS**

[23/01592/FUL | Construction of two storey rear extension \(following removal of existing ground floor extension\) with gable end roof enlargement, associated fenestration and solar panels | 350-352 London Road Hilsea Portsmouth PO2 9JY](#)

**Application Submitted By:**

Mrs Loretta Taylor

Thorns Young Architectural

**On behalf of:**

Mr B Mabe

**RDD:** 21.12.2023

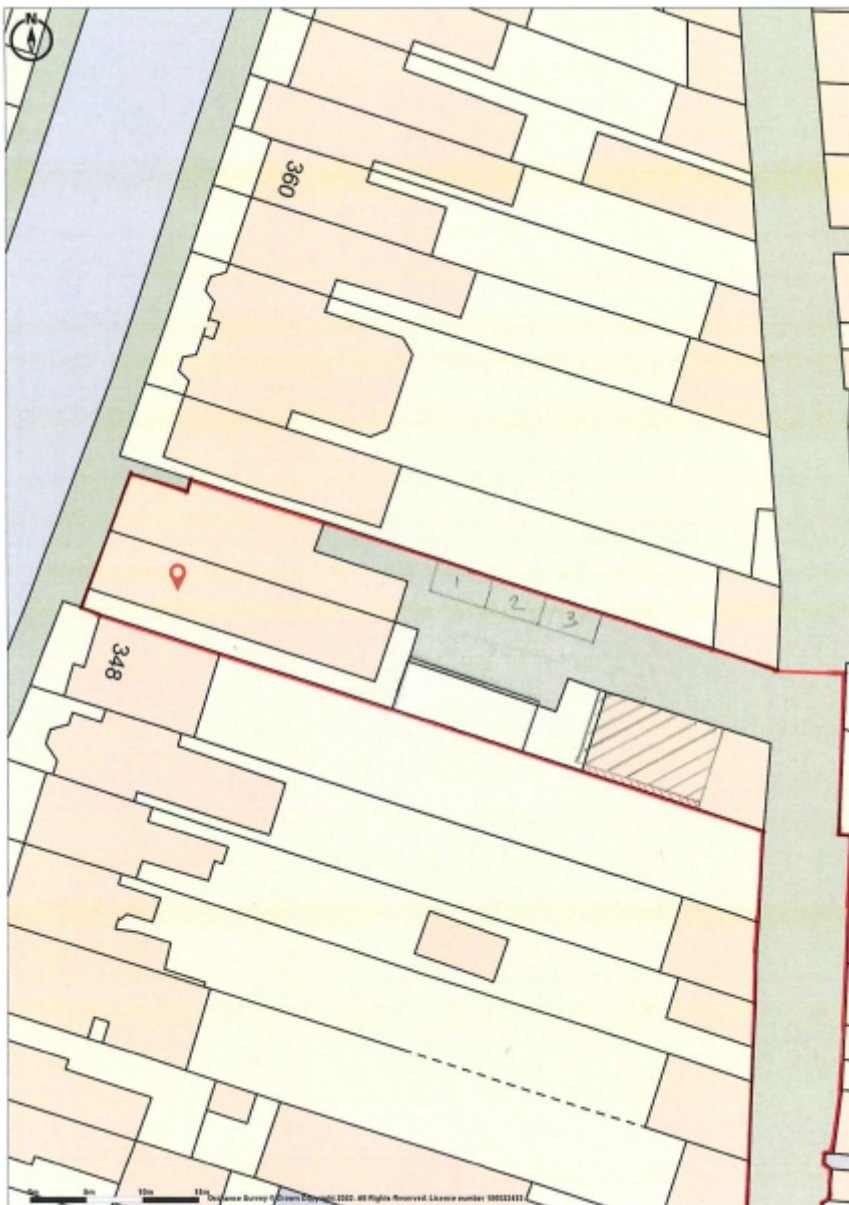
**LDD:** 15.2.2024

**1. SUMMARY OF MAIN ISSUES**

- 1.1 This application is being presented to Planning Committee as it has received 7 neighbour objections.
- 1.2 The key issues for consideration in the determination of the application are considered to be as follows:
  - Principle of development;
  - Design and layout;
  - Residential amenity;
  - Highways and transportation impacts;
  - Any other matters.
- 1.3 The site comprises of a part one storey, part two storey building located to the rear of 350-352 London Road. The ground floor is a storage area, with office accommodation at the first-floor level. Construction is of brick and is painted black. Access to the site is gained through a private road at the rear which adjoins Battenburg Road.
- 1.4 The surrounding area is a mix of largely residential properties, although other business uses can be found nearby on London Road.

## 2. THE PROPOSAL

- 2.1 The proposal seeks permission for a two storey extension with additional length at first floor level of 11.8m, and a total height of 6.1m with associated fenestration changes and solar panels to the roof of the south elevation. No change of use would occur, though the office space would increase in size by approximately 15sqm by virtue of the proposed extension. The storage space would also be reorganised and additional storage space would be provided on the first floor.
- 2.2 The site has a parking area accessed to the rear from the private road.
- 2.3 The scheme would have access for a total of 3 parking spaces.
- 2.4 The hours proposed are 08.00 to 16.00 Monday to Friday. The proposed Site Plan is shown below:



### **3. POLICY CONTEXT**

- 3.1 The relevant policies within the Portsmouth Plan (2012) would include: PCS17 (Transport) and PCS23 (Design and Conservation).
- 3.2 The above policies, and another relevant national guidance have been fully considered as part of this report.

### **4. CONSULTATIONS**

#### Highways Engineer (Local Highway Authority - LHA)

4.1 The site is located along London Road a classified road and forms part of a local centre. The site is located within a mixture of retail, takeaways and drinking establishments. Parking is restricted to the front of the site by a loading bay operating between Wednesday - Friday 8am - 6pm. No traffic assessment has been provided in support of this application however given the nature of the development, I am satisfied that the proposal would not have a material impact upon the local highway network. Portsmouth City Council's Parking SPD does not give an expected number of vehicle spaces for non-residential developments rather requires applications to make an assessment of parking demand and demonstrates how this can be satisfied. Whilst the block plan indicates spaces for three vehicles, it is unclear how these would be shared with the existing properties. It is likely demand associated with the site would have to be accommodated on street or via public parking facilities. I am satisfied that given the nature of the proposed use this is unlikely to attract significant additional parking demand within the local area than which can be associated with the existing use. As the application stands I would not wish to raise a highway objection to the proposal.

#### Contaminated Land Team

- 4.2 The Contaminated Land Team has looked into the history of the commercial nature of the site, owing to its listing in our records as a former dry cleaner (1946-1964 'Vita Dry Cleaners Ltd') and appearance of the storage building to the rear. Given the potential for contamination to exist and the nature of the former contaminative use being a dry cleaner, the site must be risk assessed based on a review of historical and available information. Risk assessment should be in line with British Standard BS10175:2011+A2:2017 'Investigation of Potentially Contaminated Sites Code of Practice', whilst considering the proposed development and end-use. Two conditions have been suggested which are detailed in the conditions section.

### **5 REPRESENTATIONS**

- 5.1 Public consultation on this application has comprised 48 letters that were sent out on 18<sup>th</sup> January 2024 to residents on London Road and Randolph Road and a site notice displayed on 25<sup>th</sup> January 2024.

5.2 In response to the consultation a total of seven objections letters of objection have been received raising a number of points which are listed below:

- Increased traffic/parking Such highway impacts will generate increased levels of noise, disturbance and air pollution;
- Overlooking and loss of privacy
- Overdevelopment
- Noise and disturbance
- Crime

## **6 COMMENT**

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

- Principle of development;
- Design and layout;
- Residential amenity;
- Highways and transportation impacts;
- Contaminated land; and
- Other matters.

### Principle of development

4.1 The building has had use a storage building. A previous application, 21/01352/FUL for a change of use from B8 storage to B2 for the cremation of animals. was refused due to the harmful impact on residential amenity is a predominantly residential area from the industrial use with associated noise and fumes.

6.2 It is considered that office use, with conditioned hours of use of 08:00hrs to 16:00hrs Monday to Friday, and no time at weekends or public holidays, would be an acceptable development in a residential area which would not have an unacceptable impact on residential amenity, which will be discussed in more detail below.

### Design and Character

6.3 Policy PCS23 of the 2012 Portsmouth Plan seeks, inter alia, to ensure new development is of an appropriate appearance and materials to the particular context.

6.4 The existing building is a two-storey structure with little architectural merit. The building has a small first floor level and more extensive ground level, sat slightly away from the boundary. The application site, and neighbouring properties benefit from long gardens/back yard areas, even with the addition of outbuildings.

6.5 As a result of the various uses including residential, parking and business use, the structures in the surrounding area have a marked variety in its scale, appearance and materials. Surrounding properties include garages and outbuildings to the rear, some of similar height. The proposal would comprise of a two storey rear extension, including

a pitched roof and gable end. The roof would also include solar panels. The external appearance from the private access road would be largely unchanged from the existing street scene.

- 6.6 Whilst reasonably basic in design, the proposed two storey extension features a roof with a pitch, which is a response to a request from officers at the pre application stage, and reduces the overall bulk of the two storey extension. Whilst large in size, the proposed two storey extension would not be out of character with the area, and would sit comfortably amongst other large rear additions.

#### Residential Amenity

- 6.7 Policy PCS23 ensures new development maintains a good standard of amenity for existing and future residents.
- 6.8 Regarding the potential amenity impacts on existing residents to the north, the proposed extension only has windows on the north elevation, which would have limited direct overlooking of private garden areas. The character of the area is such that most properties have outbuildings of some description to the rear of the property and distances between the two storey extension and neighbouring properties is considered acceptable so as to ensure no harmful loss of privacy.
- 6.9 Given the long garden lengths and existing outbuildings in neighbouring gardens, it is considered that the proposed two storey extension would not have a harmful impact in terms of loss of light or outlook for neighbouring properties.

#### Highways and Transport issues

- 6.10 The Highways Authority has reviewed the application and have raised no objection.
- 6.11 Regarding the parking, the property has an existing area of hardstanding adjacent to the store/office and 3 spaces have been allocated to this development.
- 6.12 Highways Officers however further acknowledge and agree that parking demand is not likely to be significantly increased and demand can be met with a combination of on site and on street parking.

#### Contaminated Land

- 6.13 The Contaminated Land Team have reviewed the application and have requested a contamination condition. They note the historical use as a laundry. As a result there is the potential that such uses and ownership have lead to the presence of contaminants.
- 6.14 As a result the Contaminated Land Team have requested a pre-commencement condition ensuring a desk study is undertaken along with site investigation and the necessary remediation measures submitted and agreed with a follow up report being prepared and submitted prior to the use commencing as set out in Conditions 3 and 4 below.

### Other Issues

- 6.15 Lastly, an objection was raised concerning houses of multiple occupancy. For clarity, no housing is proposed for this site and hours of use for the office will be conditioned to maintain neighbour amenity. Furthermore, a condition has been imposed to prevent changes of use within the use classes order so as to ensure an acceptable impact on residential amenity.

### Summary and planning balance

- 6.16 The scheme proposes a two storey extension to the rear outbuilding for mixed use as storage and office space. Having considered the principle of development, impacts on neighbour amenity, highways, contaminated land it is adjudged that the scheme is acceptable.
- 6.17 On the basis of the foregoing, and subject to the conditions listed below including hours of use, and changes of use, it is considered that the development proposed represents a sustainable form of development and permission should therefore be granted.

## **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.

#### Approved Plans

- 2) Unless agreed in writing by the Local Planning Authority, the permission hereby granted shall be carried out in accordance with the following approved drawings -

Drawing number: 7186.23.2

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

#### Contaminated Land

- 3) **Prior to Commencement** No works pursuant to this permission shall commence until there has been submitted to and approved in writing by the Local Planning Authority or within such extended period as may be agreed with the Local Planning Authority: An Initial Risk Assessment Report (letter report, undertaken following best practice including BS10175:2011+A2:2017 'Investigation of Potentially Contaminated Sites Code of Practice')

documenting all the previous and current land uses of the site, and considering the inclusion of preliminary site investigation (if required) to summarise the likely ground conditions and associated risks at the site; the report shall confirm either that the site is currently suitable for the proposed end-use or can be made so by remediation. Where remediation is deemed necessary by the LPA a remediation scheme must be submitted to and approved in writing by the LPA and then implemented in accordance with the submitted details. and once this report is accepted by the LPA, unless otherwise agreed in writing by the LPA

Reason: To ensure that the risks from land contamination to the future users of the land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with saved Policy DC21 of the Portsmouth City Local Plan (2006), and paragraph 183 of the National Planning Policy Framework (2021). The responsibility for safe development rests with landowner / developer.

4) **Prior to first use** The development hereby permitted shall not be first occupied/brought into use until there has been submitted to, and approved in writing by, the Local Planning Authority, documentation to evidence implementation of the remediation as agreed in line with condition (3) above. This may include a daily diary of the nominated competent person overseeing the works, waste consignment notes for excavated soils etc.

Reason: To ensure that the risks from land contamination to the future users of the land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with saved Policy DC21 of the Portsmouth City Local Plan (2006), and paragraph 183 of the National Planning Policy Framework (2021). The responsibility for safe development rests with landowner / developer.

#### Operational Hours

5) The premises shall only operate between the hours of 08:00hrs and 16:00hrs Monday to Friday, and at no time on Saturdays, Sundays or Public Holidays.

Reason: In the interests of residential amenity pursuant to Policy PCS23 of the 2012 Portsmouth Plan.

#### Use class changes

6) The development hereby permitted shall only be used for uses within Use Class E(g) and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005 or in any provision equivalent to that Class in any other statutory instrument revoking and re-enacting those Orders with or without modification.

Reason: To enable the Local Planning Authority to regulate and control the development of land that might otherwise cause adverse impacts on neighbouring residential and/or commercial occupiers in accordance with policy PCS23 of the Portsmouth Plan 2012

