
Site Address: 42 Bath Road, Emsworth, PO10 7ER
Proposal: Erection of car port (Revised modification of application reference:APP/22/00585 - Two storey side extension and single storey rear extensions, balconies and other alterations)
Application Type: Full Planning Permission
Application No: APP/23/00229 Expiry Date: 09/05/2023
Applicant: Mrs Battye
Agent: Mr Spivey Case Officer: Selina Donophy
 PWP Architects
Ward: Emsworth

Recommendation: **GRANT PERMISSION**

1 Site Description

This application site is a two storey, detached dwellinghouse located on the west side of Bath Road, Emsworth. This property is accessed via a private road which the site has a right of access across. This property has a hipped, tiled roof with elevations formed from brickwork. To the side is a detached garage with the main garden located to the south of the property.

To the west of the site is an allotment . Emsworth Mill Pond is sited approximately 70 metres to the east . The Emsworth Conservation Area stops at the site boundary such that the works are outside Emsworth Conservation Area. The site is close to but outside the Chichester Harbour AONB.

2 Planning History

APP/22/00585 - Two storey side extension and single storey rear extensions, balconies and other alterations., PERM,20/10/2022

3 Proposal

Erection of car port (Revised modification of application reference:APP/22/00585 - Two storey side extension and single storey rear extensions, balconies and other alterations)

4 **Policy Considerations**

National Planning Policy Framework
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)
- CS12 (Chichester Harbour Area of Outstanding Natural Beauty (AONB))
- 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

- ENP_D1 (General Design Policy)
- ENP_D2 (Height, Mass & Materials)
- ENP_D3 (Layout, Form & Density)

Listed Building Grade: Not applicable.
Conservation Area: Not applicable.

5 **Statutory and Non Statutory Consultations**

Arboriculturalist

Reasons for Recommendation

The Council seeks to protect tree coverage in the Borough, sympathetically incorporating existing features into the overall design of the scheme including measures taken to ensure their continued survival.

The proposed works, subject to repeating the conditions from application APP/22/00585, would ensure the protection of the trees on and off site and would be in accordance with Policy CS11, CS16 and DM8 of the Havant Core Strategy (2011).

Recommended Conditions:

Approval subject to the following conditions:

Tree protection measures:

The proposed development shall be constructed and completed in full adherence to the Arboricultural Method Statement by Bernie Harveson Ref:1267.bjh. dated September 22 and Tree Protection Plan BJH 03/04 Bernie Harveson dated September 2022 and submitted and approved with application APP/22/00585. Any variations to the details of the documents and plans must only be undertaken after the proposed variations have been agreed in writing by the Local Planning Authority.

Reason: To protect existing trees in the interests of amenity and to comply with policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Conservation Officer

No objection received

Councillor Julie Thain-Smith

No comment received

Councillor Lulu Bowerman

No comment received

Councillor R Kennett

No comment received

Developer Services, Southern Water

Please see the attached extract from Southern Water records showing the approximate position of our existing public foul sewer asset within the development site. The exact position of the public assets must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised.

Please note:

- The 100 mm public foul sewer requires a clearance of 3 metres on either side of the gravity sewers to protect it from construction works and to allow for future access for maintenance.
- No development or tree planting should be carried out within 3 metres of the external edge of the public gravity sewer without consent from Southern Water.
- No soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public sewer.
- All existing infrastructure should be protected during the course of construction works.

Please refer to: southernwater.co.uk/media/3011/stand-off-distances.pdf.

Furthermore, it is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

Southern Water requires a formal application for any new connection to the public sewer to be made by the applicant or developer.

To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements

In situations where surface water is being considered for discharge to our network, we require the below hierarchy for surface water to be followed which is reflected in part H3 of the Building Regulations. Whilst reuse does not strictly form part of this hierarchy, Southern Water would encourage the consideration of reuse for new developments.

- Reuse
- Infiltration
- Watercourse
- Storm sewer
- Combined Sewer

Guidance on Building Regulations is here:

[gov.uk/government/publications/drainage-and-waste-disposal-approved-document-h](https://www.gov.uk/government/publications/drainage-and-waste-disposal-approved-document-h)
For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).

Website: southernwater.co.uk or by email at:
SouthernWaterPlanning@southernwater.co.uk

Chichester Harbour Conservancy

Chichester Harbour Conservancy's Response

Recommendation – No objection, subject to

- implementation with the specified External building materials;

Officer reasoned justification

A site visit was again made 22-8-23. I also viewed the site from Watersedge Gardens, which has a lower ground level, seen in the new sectional drawing submitted. Regard has again been had to the policy framework* below in making these comments.

This site is tucked away down a private drive albeit some limited views are obtained of where the car port is proposed across the back gardens of 40 Bath Road and 15 Watersedge Gardens.

The site is located immediately adjacent to but not within the AONB and Character Area B of the Emsworth Conservation Area.

The adjustment to the car port appears to have been to alter its roof profile to offer a more neighbourly outlook to occupiers of 15 Watersedge Gardens. The Conservancy has no objections to that adjustment.

The proposed car port materials will match the altered house and it is agreed the proposed car port is of less stature than the original garage and thus lesser impact adjacent to the AONB landscape. The character and appearance of the adjacent Emsworth Conservation Area would also be preserved.

Property Services Manager

No comment received

Heritage Officer

There is no objection from me on the amendments to the plans with regards to the impact on the conservation area.

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: 9

Number of site notices: 1

Statutory advertisement: 31/03/2023

Number of representations received: 0

Comment	Officer Comment
No comments received	

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, the Conservation Area and the AONB
- (iii) Effect on neighbouring properties
- (iv) Trees
- (v) Flood risk
- (vi) Parking

(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.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires planning authorities, when considering whether to grant planning permission for development which affects a Conservation Area, to have special regard to the desirability of preserving or enhancing the character and appearance of that area the site is outside but adjacent to the Conservation Area.

(ii) Appropriateness of design and impact on the character of the area, the conservation area and the AONB .

- 7.3 This proposal comprises an alteration to the car port as approved under APP/22/00585 . The car port would now be larger in width and would span the rear of the plot in the space where the previous garage was located. The proposal has been amended following its initial submission due to case officer concerns in regards to potential for overbearing impact on the properties located to the rear of the site. The proposal would be located close to the rear boundary however would now feature a lowered eaves height with a cat slide style roof slope and reduced roof height which is considered to reduce the overall mass and bulk of the design. In terms of appearance on the wider character of the area, the car port would remain largely hidden from view from the public realm, with the roof only visible from the properties located to the side and rear. Whilst the scale is considered to be generous , it is not deemed to be out of keeping with the scale of the host dwelling and plot in which it is situated.
- 7.4 To the east of the site the Chichester Harbour AONB boundary lies alongside the Mill Pond. The Chichester Harbour Conservancy have been consulted in regards to this application and have no objection to uphold.
- 7.5 The property is sited adjacent to the Conservation Area boundary and therefore Havant's Heritage Officer has been consulted in regards to this proposal. No objection has been upheld with no harm identified to the Conservation Area or its setting and the screening to the site is noted- this proposal would therefore preserve the special qualities of the conservation area.
- 7.6 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

- 7.7 To the north of the application site are No's 15 and 17 Watersedge Gardens. The rear of both of these properties face toward the rear elevation of No 42 and are set down at lower level than the application site. The proposed car port would be located in a similar position to where the existing garage currently stands. There would be an increase in overall roof bulk however the cat slide roof slope would mean that this is set away from the fence line and therefore it is not considered to appear harmfully overbearing, noting the reduced roof height also.
- 7.8 Consequently, it is considered that the proposal will not appear overbearing or lead to a loss of light, outlook or privacy 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). It is noted no letters of objection were received with respect to the scheme.

(iv) Trees

- 7.9 Havant's Arboricultural Officer has been consulted in regards to this proposal and has no objection to uphold subject to the tree protection plans being adhered to.

(v) Flood risk

7.10 The site is not within Flood Zones 2 or 3.

(vi) Parking

7.11 There would be adequate parking for 3+ car parking spaces on site which would meet the Havant parking SPD requirements.

8 Conclusion

8.1 The proposed development is acceptable in principle, is appropriate in terms of design and its impact on the character of the area, and would have a limited and acceptable impact on the neighbouring properties. On this basis it is recommended for approval.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/23/00229 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:

5817-5000-02	LOCATION & BLOCK PLAN
5817-5100-02	EXISTING & PROPOSED FLOOR
5817-5200 Rev B	EXISTING & PROPOSED ELEVATIONS
BJH 1267.bjh.Sept 22	ARBORICULTURAL METHOD STATEMENT
BJH 03/04	TREE PROTECTION PLAN
5817-5203 Rev B	SECTION THROUGH CAR PORT

Reason: To ensure provision of a satisfactory development.

- 3 The proposed development shall be constructed and completed in full adherence to the Arboricultural Method Statement by Bernie Harveson Ref:1267.bjh. dated September 2022 and Tree Protection Plan BJH 03/04 Bernie Harveson dated September 2022 and submitted and approved with application APP/22/00585. Any variations to the details of the documents and plans must only be undertaken after the proposed variations have been agreed in writing by the Local Planning Authority.

Reason: To protect existing trees in the interests of amenity and to comply with policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 The external materials used shall be as indicated on the submitted forms and hereby approved plans, or 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.