

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Councillor Leah Turner - Hayling East

No Comment.

Councillor M Wilson - Hayling East

No Comment.

Councillor R Raines - Hayling East

No Comment.

Developer Services, Southern Water (1)

It appears that the developer is intending to build-close to a public foul sewer which is crossing the site. Building over a "public sewer" is not normally permitted by Southern Water. An investigation of the sewer is required to confirm its size and depth, ascertain its condition, number of properties served and potential means of access before any decision can be made as to whether it would be acceptable for Southern Water to allow building close to the sewer.

The length of sewer to be built over under the terms of Part H of the Building Regulations dictates that the matter is determined by the sewerage undertaker, which in this case is Southern Water. The conditions and application associated with the build-close-to a public sewer are available at

Southern Water's Get Connected service: developerservices.southernwater.co.uk

In order to protect drainage apparatus, Southern Water requests that if consent is granted, the following condition is attached to the planning permission; prior to the commencement of development, the developer must advise the local authority, in consultation with Southern Water, of measures which will be undertaken to protect the public sewers.

- The 300 mm public surface water sewer and 375 mm rising main requires a clearance of 3 meters on either side of the public sewers to protect it from construction works and to allow for future maintenance access.

- No development or tree planting should be carried out within 3 meters of the external edge of the public surface water sewer and rising main without consent from Southern Water.

- No new soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 meters of public gravity sewer and rising main.

- All existing infrastructure should be protected during the course of construction works.

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

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 foul 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

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

Officer Comment

The applicant's agent submitted a Drainage Report in which Southern Water were reconsulted.

Developer Services, Southern Water (2)

Further to our response dated 12/05/2023 and additional information provided by the developer. We would wish to revise our comments regarding build close and substitute the comments below.

Please see the attached extract from Southern Water records showing the approximate position of our existing public surface water sewer and rising main 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.

- The 300 mm public surface water sewer and 375 mm rising main requires a clearance of 3 meters on either side of the public sewer and rising main to protect it from construction works and to allow for future maintenance access.

- No development or tree planting should be carried out within 3 meters of the external edge of the public surface water sewer and rising main without consent from Southern Water.

- No soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 meters of public gravity sewer and rising main.
- All existing infrastructure should be protected during the course of construction works.

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

SouthernWaterPlanning@southernwater.co.uk

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: 11

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 0

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) 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.

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

7.3 The proposed works would have pebbledash render and slates roof tiles to match the existing property. This is considered to be inkeeping with the context of the main dwellinghouse and character of the area.

7.4 The proposed works would be visible from the street scene. As the proposed works would be single storey and partly screened by the 1.8 metre high fencing it is not considered to have an adverse impact upon the character of the area. Although the proposed extension would be large in depth, there is still considered to be sufficient amenity space for the occupiers. The proposed extension would also be partly offset from the boundary along Marshall Road thus having a less dominant impact upon the street scene. The applicant's agent has confirmed the use of the photo studio is for hobby purposes incidental to the main dwelling. As such, if permission is forthcoming its use would be controlled in the form of a condition remaining incidental to the use of the main dwellinghouse.

7.5 The proposed 1.8 metre high fencing replacing the existing hedging is considered to be inkeeping with the character of the area with other properties having fencing of similar height such as No.32 Fishery Lane. Although the removal of the hedging with the replacement of the fencing would create a more urban feel, there would be planting to the front to soften its impact. If permission is forthcoming a condition would be added for the proposed works to comply with the planting notes and retained as such unless otherwise agreed by the Local Planning Authority. As such, it is considered to be acceptable.

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 front there would be a door into the proposed side extension. This view would be screened by the 1.8 metre fencing. Overall, the proposed works are not considered to have an adverse impact on the properties opposite.

- 7.8 On the east side facing Marshall Road the proposed side extension would extend along the boundary. Due to its position, it is not considered to have an adverse impact on any neighbouring properties. Furthermore, there would be doors and a window within the proposed side extension. These views would be screened by the 2 metre high fencing thus not considered to cause harmful overlooking.
- 7.9 On the west side facing No.24 Fishery Lane there would be doors and windows within the proposed side extension. Due to the existing screening, it is not considered to cause harmful overlooking. Furthermore, due to the separation distance from the shared boundary the proposed side extension is not considered to appear overbearing or result in the harmful loss of light to the neighbouring occupiers.
- 7.10 To the rear there would be a window within the proposed side extension serving the office. Due to the existing screening, it is not considered to cause harmful overlooking to the properties to the rear. Furthermore, due to its distance from the boundary it is not considered to have an adverse impact on the properties to the rear.
- 7.11 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) Drainage

- 7.12 Southern Water original commented on the application raising no objection subject to a prior commencement condition relating to the protection of public sewers. The applicant's agent submitted a Drainage Report in which Southern Water were reconsulted. As such they removed the need for the prior commencement condition. An informative has been added to the decision.

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/23/00306

- 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:

Location and Block Plans - 23016-101

Proposed East Elevation and Ground and First Floor Plans - 23016-401C

Proposed North, South and West Elevations - 23016-501A

Drainage Report

Proposed Planting and Maintenance of shrubs at 26 Fishery Lane

Reason: To ensure provision of a satisfactory development.

- 3 The external materials used 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.

- 4 The proposed extension hereby permitted shall be used only for purposes incidental to the enjoyment of the dwellinghouse and shall not be used as a separate dwellinghouse, nor for any business or commercial activities which are not wholly incidental to the enjoyment of the dwellinghouse.

Reason: In the interests of the amenity of the area and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 The shrub planting along the eastern boundary shall be completed in the first planting season following the installation of the fence hereby approved, and in accordance with the details providing in the planting notes (Proposed Planting and Maintenance of shrubs at 26 Fishery Lane), and shall be retained and replaced thereafter unless otherwise agreed by the Local Planning Authority. Any shrubs retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.