
Site Address: 37 Windsor Road, Waterloo, PO7 6BA
Proposal: Single storey rear extension, replacement porch to front and replacement roof to rear garage.
Application Type: Full Planning Permission
Application No: APP/23/00220 Expiry Date: 16/05/2023
Applicant: Mr Whitehead
Agent: Critchley Architecture and Design Case Officer: Tina Pickup
Ward: Waterloo

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site relates to a semi detached two storey dwelling located on the west side of Windsor Road, opposite an area of grass and trees on the corner with Haslar Crescent. The property is constructed of buff brick beneath a concrete tiled roof that has a mansard style side roof. There are 3 pairs of similar semi detached properties, in an area otherwise characterised by bungalows.
- 1.2 The land slopes slightly down to the west, with the pair of semis being sited lower than the road level, and back from the highway by some 12m. Both the application site and the attached dwelling, number 39, have long rear gardens, extending to some 30m. They are also on a curve in the road such that the application site is set further forward than number 35 to the south, and the gardens taper slightly.
- 1.3 The application site is currently vacant. It has a side drive extending to an old pre-fab garage set back behind the dwelling which sits adjacent the garage of number 35. The boundary with number 39 comprises a 2m high close boarded fence.
- 1.4 A main critical sewer runs along the rear garden of number 39 with a connecting drain crossing the application site. The site falls outside any current day flood zone, but within the future flood zone taking into account climate change.

2 Planning History

None relevant

3 Proposal

- 3.1 Single storey rear extension, replacement porch to front and replacement roof to rear garage.
- 3.2 As originally submitted the proposed single storey rear extension had a maximum length of 8.3m with flat roof with a parapet on the shared boundary having a height of 3.2m and dropping to 3m. A front porch measuring 1.4m deep x 2.5m wide x 3m high is also proposed; and the existing false pitched roof of the garage would be replaced with a traditional pitched roof having a height to eaves of 2.1m and 3.4m to ridge (the garage elevations beneath would remain).

- 3.3 During the course of determining the application amended plans have been received and the final version change the roof above the single storey rear extension to a sloping roof having a height of 2.8m, dropping to 2.425m against the shared boundary. Materials are proposed to match.

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

CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS19	(Effective Provision of Infrastructure)
DM10	(Pollution)
DM13	(Car and Cycle Parking on Residential Development)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Southern Water

appears intending to build-over a public foul sewer which crosses the site - which is not normally permitted by SW. An investigation of the sewer, its size and depth, condition, number of properties served and means of access before any decision can be made as to whether it would be acceptable for SW to allow building over.

Part H of Building Regs dictates that, due to length of the sewer to be built over, is a SW matter - conditions and application on SW website.

Any other sewer found should also be investigated;

To protect apparatus request condition "*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.*"

Formal application for any new connection to the public foul sewer;

Where surface water to be discharged then should follow Building Regs part H3 hierarchy, plus reuse.

Engineering/Drainage

None received

Environment Agency

no comment as falls outside the external consultation checklist

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: 5

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
Object to height - exceeds fence by another 0.8m which will impact natural light currently enjoyed in our garden; will reduce natural light into our kitchen from the only light source into this room (double doors) and will also affect lounge.	Noted - see section 7
Height will interfere with natural light we enjoy in our garden and home having detrimental effect on our quality of what we currently enjoy, as well as financial implications such as reducing the property value.	Noted - see section 7 Value of properties not a material consideration

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 only alteration to the front elevation would be a new porch which slightly exceeds permitted development criteria and hence needs planning permission. It would be flat roofed and similar in size and scale to the porch at number 39. Being set back some 12m from the highway it would not be overbearing or dominant and the visual appearance of the front of the property would remain in keeping with the character of the area. The re-roofing of the existing garage, which is also set back some 27m from the highway, would create a traditional pitched roof structure that would be visually appropriate to the street scene and character of the area.

7.4 The proposed rear single storey extension would have a maximum length of 8.3m and arguably could be perceived to be over-long and out of proportion with the size and

scale of the host dwelling which has a footprint depth of 7.3m (plus porch). The Borough Design Guide SPD at section 5 requires extensions to be subservient or modest relative to the original, and potentially the 8.3m extension would not be viewed as subservient in design and character to the host dwelling.

- 7.5 However following requests to reduce the length of the extension, a technical reason has been provided suggesting that the precise location of the sewer crossing the site and the build-over arrangements are limiting the siting of the supporting corner foundation which cannot be within the stand-off distance. It is contended that 8.3m is a workable solution to this sewer constraint and the extension cannot be reduced a meter or two and it is requested that the application be determined at 8.3m long.
- 7.6 Therefore the actual harm arising from the proposed 8.3m long extension must be assessed. It is acknowledged that the extension would not be visible from any public vantage point and only viewed from private areas. Due to the tapering of the site with kink in the footprint, the extension is 8.3m along its northern elevation only, with the southern elevation being shorter at 6.6m long. The agent has also provided a diagram showing the extent of a potentially permitted development 6m extension under the Prior Approval system, which, due to the tapering and angled nature of the extension, demonstrates that all but a wedge could potentially be permitted development, subject to prior approval.
- 7.7 Furthermore it is noted that the site is exceptionally large with a very long rear garden and can readily accommodate the proposed extension without becoming an overdevelopment of the site. It is also noted that number 31 to the south appears to have extensions/outbuildings forming a similarly long footprint along a side boundary. On balance, taking into account all these factors, it is considered that the proposed rear extension which extends between 6.6m and 8.3m would not be so harmful to the character of the site and area, or host dwelling, to justify a reason for refusal that could be substantiated at appeal.

(iii) Effect on neighbouring properties

- 7.8 The orientation of the site is such that the proposed extension would be south of the attached dwelling at 39. The tapering of the sites is noteworthy as the shared boundary with number 39 is not perpendicular to the rear elevation of 37 and 39, but is angled such that number 39 has an obtuse boundary line i.e. wider than 90 degrees which widens the outlook from number 39.
- 7.9 As originally submitted a 3.2m high parapet wall extending for 8.3m along the shared boundary line was considered to be overly high and dominant, resulting in an enclosing effect and overshadowing, harmful to the amenity of the occupiers of number 39. Following discussions a final set of amended plans changed the roof profile of the extension from flat to slight slope enabling a lower eaves line of 2.425m to be achieved on the shared boundary. As noted above, the length of the extension has not been reduced, just the height.
- 7.10 The majority of the shared boundary line currently has a full height 2m dividing fence and therefore the proposed eaves line would project 0.45m above that. Whilst this eaves line would extend 8.3m regard must be had of the obtuse angle of the boundary line. This definitely widens the aspect from the rear of 39 and would help to minimise the overbearing and enclosing effect.
- 7.11 Number 39 has its kitchen closest to the shared boundary, served by glazed doors,

but it is generally a small and dark room. Beyond that there are patio doors serving a living room. The length of the extension would fail the 45 degree line as set out in the Design Guide SPD, but so too would either a permitted development extension or a larger one via prior approval. The greatest impact on loss of light to the kitchen would arise from the element of the extension closest to the rear wall, which is the element that could be permitted development. Therefore, having regard to this fall back position, it is considered that the light available to the rooms at 39 would not be further impacted from the longer length of the proposed extension.

- 7.12 With respect to overshadowing of the garden space, and there is a sitting out patio area at the rear of 39, the orientation would result in slightly longer shadows, but due to the long gardens and wide aspect, in fact much of the light to the garden comes from the westerly direction. During the summer when the sun is high, the additional 0.45m would make only a marginal difference, although this would be more noticeable in winter when the sun is lower; but conversely the patio would not be in regular use in the winter.
- 7.13 On balance, due to the tapered boundary which gives the occupiers of number 39 a wide aspect outlook, and westerly orientation of the garden, then the proposed development as shown on the amended plans with height of 2.45m, is considered to only have a marginal impact on the amenity of the neighbours at 39.
- 7.14 With respect to the neighbours at 35 to the south, the extension would have a separation of between about 5.8m and 7.8m from the side elevation of this property, with the side drives providing a sense of space between. As such the proposed extension would not be enclosing or affect the outlook from 35. The new roof on the garage would sit alongside the garage of number 35 and have minimal impact on their light or outlook.
- 7.15 Overall, given the particular circumstances of the site, it is considered that the amended 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).

(iv) Drainage

- 7.16 A significant constraint at the site are the sewers. The non-critical sewer that crosses the application site is to be built over, and the plans show the use of foundation lintels above the stand-off areas of the sewer. In addition there is a critical sewer on the adjacent plot and the extension encroaches into its stand off zone, but does not affect the drain itself. The agents are aware of the need to submit a Build-Over Agreement to SW and anticipate that their foundation design solution, and encroachment extent, are likely to be acceptable to SW.
- 7.17 SW have not objected per se, but do request a condition protecting the sewer. This can be attached to the decision.

8 Conclusion

- 8.1 On balance, given the constraints and circumstances at the site, the proposed development is considered acceptable 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/23/00220

(A) 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:

Site Location and Block Plan - Drawing Number 23010-101
Proposed Site Plan - Drawing Number 23010-104B
Proposed Plans - Drawing Number 23010-401C
Proposed Elevations - Drawing Number 23010-501C
Proposed Garage Elevations - Drawing Number 23010-502

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 development hereby permitted shall not commence until details of the Build-Over Agreement and/or measures which will be undertaken to protect the public sewer crossing the site have been submitted to and approved in writing by the Local Planning Authority (in consultation with Southern Water). The development shall thereafter be carried out in strictly accordance with the approved details.
Reason: To ensure the adequate protection of infrastructure having due regard to Havant Borough Local Plan (Core Strategy) policies CS19 and DM10 and the National Planning Policy Framework.