
Site Address: 73 Kennedy Close, Waterloooville, PO7 5NY
Proposal: Proposed single storey rear extension and side ground floor windows to east elevation with decking area and raised boundary treatment height
Application Type: Full Planning Permission
Application No: APP/23/00045 Expiry Date: 17/03/2023
Applicant: Mr Andrew Barber
Agent: Mr M Choudhury Case Officer: Selina Donophy
 MC Architectural Design
Ward: Purbrook

Recommendation: **GRANT PERMISSION**

1 Site Description

This application site comprises a two storey end of terrace dwellinghouse located on the north side of Kennedy Close, Waterloooville. This property has a pitched roof with tile hanging to the front elevation- towards the front id on site parking. The area is predominantly residential in character.

2 Planning History

71/18236 - for the erection of 71 terraced houses, UNK,25/08/1971

3 Proposal

Proposed single storey rear extension and side ground floor windows to east elevation.

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)

DM10 (Pollution)

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Councillor Gary Hughes

No comment received

Councillor Husky Patel

No comment received

Councillor Ms C Howard - Purbrook Ward

No comment received

Developer Services, Southern Water

It appears that the developer is intending to build-over 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-over 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-over a public sewer are available at Southern Water's Get Connected service: developerservices.southernwater.co.uk

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.

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.

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

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

Case Officer comment - additional comments received from Southern Water following re-consultation

Further to our letter of 10/02/2023 we write to request that the representation be withdrawn and the following substituted.

Upon further review of our GIS mapping, the sewers in the vicinity were built circa 1970's and we can confirm that this is a S105a sewer as per GIS. However, upon further investigation Manhole 1806 has been incorrectly mapped as a public sewer asset, this manhole would also be private and the drain until it reaches the boundary. Therefore, the only condition would be that the new foundations must be taken to a minimum of 150mm below the invert level of the S105a sewer at the boundary. Southern Water requires a formal application for any new connection to the public sewer to be made by the applicant or developer.

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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: 10

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
In itself the extension is acceptable to me, however the installation of 3 windows on the East side of the property are a major concern and will intrude on my privacy and sense of security. The right hand main house window together with the extension window will be facing directly towards my lounge, with direct vision into my lounge. Additionally they offer direct vision into my garden and down the side of my property. Furthermore all three windows will have direct vision into my bedrooms on the west side of my property. Currently there are no windows on the East side of this house so this will be a significant change. All 3 windows will intrude on my privacy and sense of security both in the house and in the garden; for this reason I would object to them. The Council are welcome to visit to assess the level of intrusion. A further concern is to ensure that access to the site and parking for vehicles of contractors is restricted to Kennedy Close and does not involve Birchy Road (redacted text)	Please see 'Impact on neighbour amenity' section.

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

(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 This proposal comprises a single storey rear extension and other external alterations including the addition of windows to the property. This proposal has been amended following its initial submission due to case officer concerns raised due to the originally proposed close siting of the extension with the attached property to the west and potential impact on amenity this would have. The extension has now been set off the shared boundary which is considered to alleviate the concerns and is reviewed in further detail in the 'effect on neighbouring properties' section below.
- 7.4 The proposed single storey rear extension would have dimensions of approximately 4 metres depth, 5 metres width and an average height of 3.3 metres as there are changes in land levels at the site. The extension would have a flat roof with a raised lantern rooflight. It would be set off the west boundary by approximately 1 metre. This space would form a family area served by large doors to the rear, leading out on to the decking area - to the west and east side elevations would be high level windows - the window to the west side would be obscured. Two new windows would also be introduced to the east side elevation which would serve the dining and living areas. Proposed materials include white render to match existing. An area of decking raised higher than existing is also proposed with a raised section of boundary fence erected alongside the adjoining property.
- 7.5 The proposed extension is considered to be in keeping with the host dwelling in terms of scale and general appearance. The materials would match the main property and the extension could be accommodated within the plot size. It would not be highly visible from the public realm as it would be located in the rear garden. Overall the extension as proposed is not considered to be a harmful addition to the host dwelling nor the wider area and neither is the proposed decking.
- 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 west is the attached property, no 71 the proposed extension would still breach the 45 degree line taken from the mid point of the closest window at no 71 however this is not deemed to be significantly worse than the impact of a 3 metre deep extension which would be built under permitted development. The set off distance of 1 metre is considered to reduce the overbearing impact on no 71 and overall the impact is deemed to be acceptable. The window on this side would be high level and obscured and therefore is not considered to result in unacceptable overlooking. There would be an area of raised decking however the fence height would be raised to this side elevation to mitigate against any overlooking from the decking.
- 7.8 To the east is no 1 Chace Gardens and no 141B Stakes Road towards the south. There would be approximately 22 metres separation distance between the side elevation of no 73 and the rear of no 1 with a pathway separating the properties and there is a boundary treatment also separating the properties. The side elevation windows would be set at ground floor level and would offer acceptable views back towards no 1 - it is also noted these windows would not require planning permission.

- 7.9 Consequently, it is considered that the proposal will not appear overbearing or lead to overlooking 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).

8 Conclusion

- 8.1 The scale, siting and design of the proposal would have limited and acceptable impact on the neighbours and is therefore considered to be appropriate and recommended for approval.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/23/00045

(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:

01.01 REV D PROPOSED REAR EXTENSION PLANS AND
ELEVATIONS

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 New foundations must be taken to a minimum of 150mm below the invert level of the S105a sewer at the boundary.
Reason: To safeguard the public sewer having due regard to policies and proposals CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 5 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, prior to first occupation of the extension

hereby permitted the extension window in the ground floor on the side elevation facing west shall be fitted with textured glass which obscuration level is no less than Level 4 of the Pilkington Texture Glass scale (or equivalent) and retained as such thereafter.

Reason: In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.