
Site Address: 97 Hart Plain Avenue, Waterloooville, PO8 8RG
Proposal: Double storey side and rear extension with front and rear dormers forming living space and an annexe, single storey side and rear extension and internal lift.
Application Type: Full Planning Permission
Application No: APP/23/00191 Expiry Date: 01/06/2023
Applicant: Mr Le May
Agent: Mr Walker Case Officer: Selina Donophy
 Parkers Design
Ward: Hart Plain

Recommendation: **GRANT PERMISSION**

1 Site Description

This application site comprises a two storey, detached dwellinghouse located on the west side of Hart Plain Avenue, Waterloooville. This property has a pitched roof with horizontal cladding and brickwork to the elevations. Towards the rear of the site is a detached garage and towards the front of the site is a driveway allowing for the parking of vehicles. The area is predominantly residential in character.

2 Planning History

None relevant

3 Proposal

Double storey side and rear extension with front and rear dormers forming living space and an annexe, single storey side and rear extension and internal lift.

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)

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 Carly Scannell - Hart Plain

No comment received

Councillor David Jenner

No comment received

Councillor E Shimbart - Hart Plain

No comment received

Southern Water

It appears that the developer is intending to build over a 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 to 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: Further comment from Southern Water received :

Further to our response dated 26/04/2023 regarding the above planning consultation, we wish to withdraw our comments regarding build-over as the sewer within the development is considered private and no longer requires an application for the build-over process.

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:

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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: 5

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
Our initial thoughts then were that the proposal was much larger than we had been lead to understand in earlier conversations (perhaps our misunderstanding). Now that the formal application has been made to HBC we are able to view in fuller detail the proposed extension. Our main objections to the proposed extension in its current layout are as follows and will be expanded on further: 1 The proposal is too large for the plot, is out of scale for the location and will be overbearing as it will be too close to our property at 99 HPA creating an oppressive impact to our property. 2 Due to the close proximity and height of the proposed extension we feel that unreasonable overshadowing would occur with the accompanying effect on daylight and sunlight. 3 We have considerable concerns on the actual building process and how this will impact on our lives/property for what could be a significant period of time (due to the size and close proximity of the proposed extension). 1 Appearance and Layout The proposal more than doubles the footprint of the original house which we feel is too large for the plot/location. The extension will be far too close to our property at Number 99 HPA. (much closer than any other two properties in the street.) The site plan (Location & Block Plan P O V2) shows that the wall of the extension will form the boundary. (along with existing fences). This would result in the double storey extension side wall (NW side of the proposed extension) being approximately 1 foot from our boundary fence with property at Number 99 HPA. (and thus approx 4 feet from SE wall of our property, Number 99 HPA). If the design of the extension is to be in keeping with the existing building's appearance there will be an additional overhang of the eaves (It is not possible to establish fully from the plans) which could result in rain runoff onto 99HPA. We also have concerns due to the proposed roof design of the rear part of the extension which creates a gulley between the existing roof and roof of the proposed rear extension which could	Please see 'Planning Considerations' section of the report The right to light would need to be pursued seperately as a legal matter.

result in rain runoff onto 99 HPA especially in periods of heavy rainfall. How will this be prevented? Particularly as in future this will be very difficult to access for maintenance/clearing.

2 Effect on Daylight, Outlook and Privacy

The height and proximity of the proposed extension will severely impact on the amount of daylight/sunlight both to the side (facing SE) and front (East) of our property. There will be areas indoors where the light is severely reduced and outside the property there would be additional areas, compared to present, which would be in shade and these areas would be in shade for longer periods when compared to the present. Outside of the summer months some areas will become permanently shaded.

The double storey extension side wall will extend out far enough to the rear to obstruct around $\frac{3}{4}$ of the way across the downstairs hall window of Number 99 HPA (as well as being too close). The hall window faces SE.

Effectively the view from the downstairs hall window will be of a brick wall 4 feet from that window. Vertically from the window there will be no view or light at all, horizontally there will be very little light.

(Particularly as the direction of the sun's movement is from the front of the properties in the morning round to the rear of the properties being behind the proposed extension side wall until well into the afternoon - or longer in the winter).

This will result in a huge reduction the light via the hall window and making the hall area permanently dark. It will also create a requirement for increased use of lighting and increased costs.

We have lived at 99 HPA for 31 years in June so believe that this window has obtained a legal Right to Light via Prescription having been receiving natural light through into our property well beyond the 20 year requirement.

This is gained via the 1832 Prescription Act and applies irrespective of the use of the room.

The increased shadow cast by the proposed extension will place most of the front of Number 99 HPA and its driveway/garden into shade for most of each day except during the peak summer months when the sun is its highest.

Note: If the shading shown in the submitted 3D drawings is meant to represent shade cast by sunlight from the proposed final building then these are not accurate or representative of the actual situation and are misleading.

For example, in drawing number P6, the sun would have to be situated to the NW of the properties to cast the shadows shown rather than the reality of rising in the east, traversing through south to set in the west (rear of properties). The sun has already set, all year round, by the time it is NW of the properties.

There does not seem to have been any study of the impact of the proposed extension on the reduction to daylight/sunlight or the increased shade caused by the proposed extension upon our property at 99 HPA included in the planning application. This seems to have been ignored and we feel this is a serious omission.

In addition to the huge reduction in daylight/sunlight which will be available indoors via the hall window, the height and close proximity of the proposed extension side wall will block sunlight generally to a large part of our house's side wall which could lead to the increased possibility of damp in what will become a very narrow, quite enclosed area between the side of our property and the new extension wall which will get barely any sun.

We feel that the sheer size and closeness to our property of the proposed extension wall will have an oppressive

and detrimental effect on our wellbeing and our living conditions in addition to the loss of light.

There is also likely to be the knock on effect of increased lighting use at additional cost to us.

3 Construction period

Whilst understanding that the concerns mentioned in the next section may not be directly considered in the planning application we feel that it is worth expressing our significant worries regarding the construction work.

As the proposed extension side wall will be so close to the existing boundary fence we have concerns as to how, for example, the site will be scaffolded between ourselves and 97 HPA.

Already our access to the rear and back garden of our property is very poor. Because of the size of the proposed extension the construction period is likely to be quite lengthy. The narrow path at the side of our house is our access route to the rear of our house.

We could not manage without this access.

Equally at the front of our property our garage, which we always use to secure one of our cars, will make scaffolding challenging. The garage is a flat roof, board and felted. It is not designed as a walkway or a working platform and

we have concerns that the roof could easily be damaged by building materials/tools being dropped. Or worse, the roof being penetrated when our car is in the garage. If the proposed extension did not come so close to the boundary then all works could be completed from 97 HPA's land which would at least limit somewhat the effect on us. In conclusion we feel that the current proposal is too large, too close to our property and will be completely overbearing causing unreasonable overshadowing of our property. No doubt it will have some knock on effect to the value and desirability of our property at any future sale. The size and design needs to be reconsidered. Request It is requested that a site visit is held by the Havant Borough Council planning committee before a decision is made on this application.	
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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) Parking
- (v) CIL

(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.

7.3 This proposal includes the addition of an annexe . The annexe would be for the use of the owner's parent to reside on site whilst having a degree of their own independence from the main dwelling. The rear garden would be shared by all occupiers and access to the annexe would be via the shared driveway. The proposed annexe would have an internal doorway and would be accessed from within the main dwelling. The use would be secured via planning condition.

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

7.4 This proposal comprises a two storey rear extension alongside a two storey side extension comprising front and rear dormers and a single storey side and rear extension - the side element would form an annexe for a family member. This proposal has been amended following its initial submission due to case officer concerns raised in regards to the mass and bulk of the original proposed submission which comprised a full two storey side extension located on the side boundary to the

north. This side extension has now been taken off the side boundary and reduced in height and depth, with dormers used to the front and rear to allow for the space required at first floor level . The original proposal also featured a monopitched sloping roof to the rear elevation- this design was not considered to be subservient in appearance and this has now been reduced in height forming a pitched roof to the rear.

- 7.5 The proposed two storey rear extension would have dimensions of approximately 6 metres to ridge height, 4.7 metres to eaves height, 4 metres depth and 6.5 metres width. It would have a pitched roof and would allow for a reconfiguration of the first floor with a study and lift added towards the front of the property and bathrooms towards the rear of the property as well as a bedroom located towards the rear of the property. At ground floor level would be an open plan living space and airing cupboard.

- 7.6 A side and rear extension is also proposed which would have a pitched roof and an eaves height of approximately 3 metres . It would feature pitched roof dormers to the front and rear roof slopes and would step down to a flat roof single storey rear extension .

This side extension would have a total depth of approximately 12 metres. This side element would form the annexe which would be formed from a bedroom located at ground floor level towards the front, a bathroom and a lounge area towards the rear. To the front elevation would be a bay window. The bathroom would be served by a side elevation window and the lounge by a set of doors to the rear and a rooflight. At first floor level would be a bedroom with an ensuite bathroom, the rooms would receive light from the dormer windows to the front and rear elevations.

- 7.7 Proposed materials include cedar burned red cladding - this is considered to be acceptable noting that a darker timber cladding has been used elsewhere within the immediate streetscene.

- 7.8 The proposed alterations are considered to be generally subservient in design- the two storey rear extension would not be highly visible from the public realm , whilst the scale is relatively generous it could be accommodated within the plot without resulting in unacceptable overdevelopment. The pitched roof design is in keeping with the host dwelling. The proposed side extension would have a set down ridge and the dormers would be set within the pitched roof- the side extension is considered to be a generally subservient addition to the host dwelling . Overall this proposal would add significantly to the footprint of the property however it is not considered to result in harm to the character of the area nor the host property.

- 7.9 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

- 7.10 To the south east of the application site is no 95a Hart Plain Avenue .No 95a currently projects beyond no 97 at two storey level to the rear and then steps down to single storey height on the side closest with the shared boundary with no 97- this was agreed via planning permission back in 2003. The properties are sited close together. The proposed two storey rear extension would project approximately in line with the single storey element of no 95a and therefore beyond the existing closest first floor rear

elevation window at no 95a. A 45 degree line has been taken from the mid point of this window and the proposed extension would come in just below 45 degrees - as the extension would also be sited to the north, whilst the close proximity is noted, the extension is not considered to result in overbearing or overshadowing impact .

- 7.11 To the north west of the application site is no 99 Hart Plain Avenue. Again the properties are sited fairly close together on this side although on this side the set off is larger at approximately 3 metres width. The proposed side extension would be set off this side boundary by approximately 75 cms. The proposed side extension would have an eaves height of approximately 3 metres and would increase up to the roof ridge with a maximum height of approximately 6 metres . No 99 is set back behind no 97 and has a garage which projects forward at single storey level which comes just behind the front elevation wall of no 97. On the side elevation of no 97 there is an obscure glazed door and window which serves the foyer- to the rear of that is a hallway window which is clear glazed and at first floor level is a clear glazed landing window. The proposed side extension would span the depth of the existing property at no 97 plus 3 metres to the rear and therefore would largely impact the obscured window and door at no 99 - as these are already obscured and do not serve a primary habitable room the impact on this door and window is considered to be acceptable. The building line would drop down to single storey height by the time it would come in line with the clear glazed hallway window at no 99 and it is noted that there would be some impact on this window including to light, due to the close siting. Whilst this may be the case this window serves a hallway which is not considered to be a primary habitable room and on balance the impact is considered to be acceptable. The window on this side elevation would also be high level. The proposed rear dormer window would be small in size and would serve a bathroom and is not considered to overlook back towards the rear garden/ side windows of no 99.
- 7.12 To the rear of the application site is no 26 Barney Evans Crescent - there would be approximately 32 metres back to back separation distance between these properties and this exceeds the 20 metre minimum separation distance as required in the Havant Borough Design Guide . No harmful overlooking impact has therefore been identified.
- 7.13 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).

(iv) Parking

- 7.14 The proposal would allow for 3 parking spaces towards the front of the property which would meet the parking requirements of a property with this bedroom number.

(v) CIL

- 7.15 This proposal would result in less than 100m2 additional floorspace following the amendments which have been made to the proposal. The annexe would be attached to the main dwelling and therefore would not be CIL liable as an annexe use.

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 Place be authorised to **GRANT PERMISSION** for application APP/23/00191

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:

P0 v2 AMENDED LOCATION AND SITE PLAN uploaded 07 Aug 2023
P1 AMENDED EXISTING AND PROPOSED GROUND FLOOR
uploaded 07 Aug 2023
P2 AMENDED EXISTING AND PROPOSED FIRST FLOOR uploaded
07 Aug 2023
P3 AMENDED EXISTING AND PROPOSED FRONT AND REAR
ELEVATIONS uploaded 07 Aug 2023
P4 AMENDED EXISTING AND PROPOSED SIDE ELEVATIONS
uploaded 07 Aug 2023
CLADDING SAMPLE UPLOADED ON THE 05.09.2023

Reason: - To ensure provision of a satisfactory development.

- 3 The accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of the existing dwelling and shall not be used as a separate independent unit of accommodation, or let or rented out separately.

Reason: The unit of accommodation is not in a satisfactory position and has insufficient outdoor amenity space and access to be occupied separately from the main dwelling having due regard to policies CS16 and DM13 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/details, 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.

- 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 bathroom dormer window in the first floor on the rear

elevation facing south 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.