

Recommendation: **GRANT PERMISSION**

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

5 Statutory and Non Statutory Consultations

Councillor Clare Satchwell - Hayling East

No comment

Councillor I Scott Hayling West

No comment

Councillor Joanne Thomas

No comment

Developer Services, Southern Water

Please find attached a plan of the sewer records showing the approximate position of a public foul rising main within the site. The exact position of the public asset must be determined on site by the applicant before the layout of the proposed development is finalised.

Please note:

- The 200 mm diameter foul rising main requires a clearance of 3 metres on either side of the public rising main 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 foul 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 metres of a public rising main.
- All existing infrastructure should be protected during the course of construction works.

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

We have restrictions on the proposed tree planting adjacent to Southern Water sewers, rising mains or water mains and any such proposed assets in the vicinity of existing planting. Reference should be made to Southern Water's publication "A Guide to Tree Planting near water Mains and Sewers"

(southernwater.co.uk/media/1642/ds-tree-planting-guide.pdf) and the Sewerage Sector Guidance (water.org.uk/sewerage-sector-guidance-approved-documents/) with regards to any landscaping proposals and our restrictions and maintenance of tree planting adjacent to sewers, rising mains and water mains.

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 foul and surface water sewer to be made by the applicant or developer.

To make an application visit: developerservices.southernwater.co.uk and please read our New Connections Services 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 3 of the Building Regulations:

- 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 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: 8

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 5

Comment	Officer Comment
Our bungalow lies on the western side of this property. We oppose the planning application for the following reasons.... *The property in question is a tall two storey building that dominates surrounding lower level houses and bungalows. Any extension works would add to the overbearing nature of the building and cause loss of privacy for our rear garden and the rear windows of our home. *The plan shows development in the roof adding a further level to an already high property and so further impacts on our bungalow and rear garden as well as other surrounding properties. West facing windows, roof light and dormer windows will over look our garden and the rear elevations of two bungalows which hitherto enjoyed a reasonably private environment. *This is already a small plot with an existing large house and conservatory taking up much of it. Increasing its size	The proposed dormer is judged to be fairly modest in scale - in principle a dormer in the roof slope to the rear could be constructed under permitted development if certain criteria were to be met and the dormer window is not judged to significantly increase overlooking than is already existing from the first floor windows. The window proposed at ground floor level to the west would be high level and therefore any views back towards the west would be limited. The roof light proposed to the west has been amended and moved to 1.7 metres above floor level to mitigate against any overlooking . Dormer considered above. Please see planning considerations section of the report.

further would be out of proportion to the area it is contained in. *The plan shows an increase in the length to the walls of 2.5 metres and more with the inclusion of the single storey extension. Further light will be blocked from our garden and the increased brick wall will impact the rear view from our home just 11 metres away. *Visual impact will dominate all the surrounding lower level houses and bungalows. We are not willing to support the high level extension of this house and strongly oppose the application.	It is noted that the extension would have some impact on the outlook from properties to the west , notably no 65 which backs on to the proposal site . Despite this, the depth of the extension is relatively modest in scale and would be sited far enough (15 metres separation distance) for there not to be any unacceptable harm in terms of overshadowing or overbearing nature to the amenity of this property.
To clarify my comments below are not an outright objection to the application but request for modification. The 2nd floor extension would be better if front and rear combination of skylights and dormer window were reversed. We extended our property into the roof space so do not object in principle. However to show good intent we put forward sky lights to the rear of the property as a 'discouragement' to using this light source as a viewing point over other peoples private rear gardens. We put dormers to the front where viewing out would not affect anyone. Both our property and the proposed development overlook the same space, so the same thoughts apply.	Please see response to comments above.
The proposed roof velux window sited on the west side of the property will is unacceptable to us. From its vantage point an observer will be able to see into our garden and into our bedrooms and bathroom.	The impact of this window has been considered - this velux would serve the landing above the stairwell . Considering the location of the window it is not judged that this would be a window in constant use, despite this the window would potentially offer views back towards the rear of no 63- for this reason amendments have been received which position the window at 1.7 metres above floor level which would reduce any views outward and would be conditioned as such.

We have spoken to the owners of No 51 Bacon Lane and discussed our concerns regarding the proposed extension to their property. Our primary concern was regarding windows on the East elevation of the extension, and whether the extension in general would overlook our property and in particular our dining room window. The owners have agreed that the new toilet window on the east side will have frosted glass and will either be non opening or will have the hinges on the south side of the frame i.e. the window when open will still restrict the view over our property. Other than that we have no real issues regarding the proposal.	Noted.
This proposed extension is to a property whose existing roof height and line already exceeds any of its neighbouring or adjacent properties. Projecting this dominating height southwards would impose an overbearing and unsympathetic effect to the area, which would be further exacerbated by the construction of an elevated south facing dormer window and casement. This dormer window would create unprecedented site lines from an elevated position, into and over adjacent properties , destroying long established decency and privacy afforded by each of the existing properties to each of their neighbours. Any proposed extension should blend sympathetically to its neighbourhood. This one, because of its scale, does not, and must be rejected.	Please see 'Planning considerations' section of report.

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.

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

7.3 This proposal comprises a two storey and single storey extension to the rear of the property, dormer to the rear roof slope as well as alterations to fenestration including the addition of rooflights to the front and side roof slopes. The proposed two storey extension is proposed to the south (rear) elevation and would project beyond the existing rear elevation wall by approximately 2 metres - it would follow the width of the existing building as well as the roof design and ridge height, forming a continuation of the hipped main roof of the property back towards the rear. The two storey extension would allow for a revised internal layout and enlarging/ reconfiguring the existing 4 bedrooms at first floor level. This proposal also includes a dormer which would be located centrally within the rear roof slope of the extended roof - this would have a pitched roof, width of approximately 2.5 metres and ridge coming level with the ridge line of the main property. Velux roof lights are also proposed to the front roof slope (2no.) which would also facilitate use of the loft space which is proposed to be used as a master bedroom with ensuite. The two front facing velux windows would serve the bedroom, the roof light proposed to the east facing roof slope would be set at higher level and would serve the ensuite and the velux proposed to the west roof slope would serve the landing above the stairwell.

7.4 Other elements of the proposal include a single storey extension sited to the rear beyond the two storey extension which would be constructed following the demolition of the existing conservatory sited to the rear of the property. This proposed extension would have a depth of approximately 2 metres, height of 3.4 metres and width following the existing building width. It would have a flat roof with large bi-folding doors to the rear serving a family room, window serving a kitchen and two roof lights. To the side (west) would be a high level window serving the family room as well as a window serving a utility room to the east. There are also some alterations to fenestration proposed to the east (side) elevation which includes an additional window at first floor level which would be obscure glazed and would serve a bathroom and another serving an ensuite. The existing two windows would be replaced by two new windows which would serve the front bedroom.

7.5 These proposals would not be highly visible from the public realm- notably this property is set back from the highway by approximately 17 metres and the front rooflights would not be harmful to the property- and this is not within a conservation area or location where these would impact the character of the property or surrounding area. The bulk of the development would be located to the rear, and although the extensions would result in a reasonable addition in size to the property, this is not judged to be incongruous in design or out of scale with the existing property and could be accommodated within the plot size. There would be a generous addition in the bulk to the roof slope towards the rear, although the dormer would be set in from the sides of the roof slope and whilst it would come up high on the ridge, it is also

generally in keeping with the design guidance as set out in the Havant Borough Design Guide. The materials proposed include brickwork which would be left unpainted and therefore would not entirely match the existing building. Despite this, as the entire rear facade would be altered in appearance, this is not judged to be harmful to the appearance of the property. For the reasons outlined above, these proposals are not considered to cause harm to the character of the 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 east of the application site is no 49 Bacon Lane, which is a detached, two-storey property which projects further back than no 51 at two storey level towards the rear. There are windows on the side elevation of no 49, however these are already impacted by the existing side elevation of no 51 as these are sited parallel with the side elevation walls at two storey level, in addition all three windows are obscure glazed as these serve an ensuite, landing and toilet. There are also windows to the rear elevation as well as a single storey extension to the rear, these windows serving a ground floor dining room- the windows at first floor level serve bedrooms. The proposed extension is not considered to result in any significant overshadowing or loss of outlook to the side and rear of no 49 as well as to the rear private amenity space at this property. The east side facing windows proposed at first floor level would be obscure glazed and therefore would not cause any overlooking towards this side. The windows further north on this elevation replace existing windows.
- 7.8 To the west of the application site are the rear gardens of nos 63, 65 and 67 Staunton Avenue. The proposed extension site would be located adjacent to the rear of no 65 in particular, where there would be a separation distance of approximately 15 metres between the rear elevation of no 65 and the side elevation of the two storey extension at no 51. The relationship is effectively that of a two storey house with rooms in the roof (No.51 Bacon Lane) flank elevation, to single storey house with rooms in the roof (65 Staunton Ave) rear elevation. The Havant Borough Design Guide SPD 2011 requires a 10m separation distance where a dwelling faces a blank gable - this is usually increased by 4m where there is a two storey to single storey relationship. The high level rooflight and high level ground floor window are considered to effectively constitute a blank gable but more details in relation to these windows are provided below. Having regard to the Design Guide criteria the approximate 15m separation distance is considered acceptable in this case and it is also noted that the proposed extension only partly overlaps the rear of No.65 - much of the existing outlook to the south east would not be affected by the works. There are no first floor windows proposed to the western (side) elevation and therefore there is not judged to be any overlooking impact upon this property. It is noted that there would be some impact on outlook due to the siting of the extension beyond the rear garden of no 65. Although this is the case, the depth of the extension is not considered substantial enough to cause any unacceptable harm to the enjoyment of the outdoor amenity space nor would this result in any significant increased overshadowing. The west facing rooflight has been moved up the roof slope to 1.7 metres above floor height - with this amendment and noting the space served by the rooflight comprising a landing above a stairwell, this is not judged to overlook the rear of no 63 to the west.

- 7.9 To the rear of the site is nos 67 Staunton Avenue (side/rear) and the rear of nos 320-324 Sea Front . The rear garden of the application site has a depth of approximately 26 metres following the proposed extensions. Whilst it is noted that the proposed rear dormer may offer some increased views towards the rear, this is not considered to be considerably more obtrusive than the views already offered at first floor level, especially as the dormer window proposed is relatively modest in scale. It is noted that, in principle, dormers can be constructed to rear roof slopes without the need for planning permission if certain criteria are met under permitted development rights and therefore this element of the proposal is not judged to cause any significant harm to neighbour amenity beyond that which could arise without planning control.
- 7.10 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).

(iv) Parking

- 7.11 This proposal results in no additional bedrooms and therefore no additional parking allocation is required on site.

(v) CIL -

- 7.12 This proposal comes to less than 100 square metres and therefore is not CIL liable.

8 Conclusion

- 8.1 The scale, siting and design of the proposal would have limited and acceptable impact on the character of the area and the amenity of neighbours and is therefore considered to be appropriate and recommended for approval.
- 8.2 As well as usual conditions controlling the nature of the fenestration on the side elevations, in this instance it is also considered necessary and reasonable to restrict the extent of opening of the full height windows proposed in the rear dormer, in order to prevent the creation of a juliet balcony situation which would be more intrusive to the amenity of the neighbours than the window alone. Recommended condition 6 addresses this, and has been discussed and agreed with the agent.
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9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/20/00849 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:

PL.367.20.03 C Proposed floor site and location plan

PL.367.20.04 B Proposed elevations

Reason: - To ensure provision of a satisfactory development.

- 3 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.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended, and notwithstanding the window designs shown on the plans hereby approved, prior to first occupation of the extension hereby permitted the ensuite and bathroom windows in the first floor on the side elevation facing east shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and 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.

- 5 The rooflight window at second floor level in the west facing elevation serving the landing shall have a minimum cill height of 1.7m from finished floor level and be retained as such.

Reason: To accord with the submitted details and to avoid potential overlooking to the neighbouring property having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Havant Borough Design Guide SPD 2011 and the National Planning Policy Framework.

- 6 The dormer window serving the master bedroom in the second floor on the rear elevation facing south shall be non opening, to a height of no less than 900mm above finished floor level 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.