

Recommendation: **GRANT PERMISSION**

Havant Borough Local Plan (Core Strategy) March 2011

CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS19	(Effective Provision of Infrastructure)
CS21	(Developer Requirements)
DM10	(Pollution)
DM13	(Car and Cycle Parking on Residential Development)

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

Community Infrastructure

No comment.

Developer Services, Southern Water 1st Comment - Objection

The attached plan shows that the proposed extension will lie close to an existing 375mm public surface water sewer, which will not be acceptable to Southern Water. If planning permission were to be granted, Southern Water (as the statutory sewerage undertaker) would request that the Council (as the Building Control Authority) refuse Building Regulations approval on the grounds that building close to the public sewer cannot be permitted.

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

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 a connection to the public sewer to be made by the applicant or developer. We request that should this application receive planning approval, the following informative is attached to the consent:

A formal application for connection to the public sewerage system is required in order to service this development. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link

<https://beta.southernwater.co.uk/infrastructure-charges>

The disposal of surface water from this development should be in compliance with the following hierarchy of Part H3 of Building Regulations:

- a) An adequate soakaway or some other adequate infiltration system.
- b) A water course.

c) Where neither of the above is practicable: a sewer.

Southern Water - 2nd Comment - No objection

Further to our letter dated 24/10/2019, we would wish to withdraw our objection to the proposed development and substitute the comments below.

It appears that the developer is intending to build close/over to a public surface water sewer which is crossing the site. Building over a "public sewer" is not normally permitted by Southern Water.

However, under certain circumstances building over a sewer may be allowed. The conditions associated with the buildover/close to a sewer are contained in Southern Water guidance notes which are available at: www.southernwater.co.uk. A formal application to build close/over to the sewer will required to be submitted by the applicant.

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

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. We request that should this application receive planning approval, the following informative is attached to the consent:

A formal application for connection to the public sewerage system is required in order to service this development. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link
<https://beta.southernwater.co.uk/infrastructure-charges>.

The disposal of surface water from this development should be in compliance with the following hierarchy of Part H3 of Building Regulations:

- a) An adequate soakaway or some other adequate infiltration system.
- b) A water course.
- c) Where neither of the above is practicable: a sewer.

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: 6

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 0

Comment	Officer Comment
None.	

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) Drainage
- (vi) Planning Obligations/Community Infrastructure Levy (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. Planning permission was granted for a similar scheme under reference APP/18/01021 on 18 January 2019. The only changes to this scheme is the replacement of two roof lights in the front of the roof with two dormers and the removal of a ground floor bay window on the south elevation (front), retaining the existing two windows instead. Two dormers were deleted from the previous scheme, together with a reduction in eaves and ridge height to create a more proportionate appearance of No 43 within the application site. The reduction in ridge height and eaves has been taken forward in this proposal. Therefore, with the exception of the two front dormers and the removal of a bay window the principle of the development has been accepted by the Local Planning Authority. Since the grant of planning permission, earlier this year, there has been no change in the policy position.

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

7.3 As the principle of the development has been accepted by the earlier grant of planning permission, the focus of this report is on the two changes from the approved scheme: the two dormers to the front of the property and the removal of a bay window on the front elevation. One of the dormers is smaller than the window below, with the other slightly larger. This does not fully accord with the advice in Havant's Design SPD. That said, the gable dormers are in keeping with the design of the property and would not be disproportionate in size or out of scale with the development. Therefore, on balance, they are considered to be acceptable.

7.4 As to the removal of the bay windows from the approved scheme, this introduced a degree of symmetry to the front elevation. That said, the retention of the existing

windows, is not at odds with the development and is considered to be acceptable in planning terms. The proposal, on balance, meets the requirements of Policy CS16 of the HBLP (Core Strategy).

(iii) Effect on neighbouring properties

- 7.5 The extensions and raising of the roof, to provide additional accommodation was found to be acceptable in residential amenity terms, under the previous grant of planning permission. The introduction of two dormers, would not overlook the private rear amenity space of adjacent neighbouring properties, but front gardens, albeit any overlooking would be of an oblique nature, which is to be expected in a residential area and would not be significantly harmful to residential amenity. Due to the separation distances to properties on the other side of the road, (a minimum of 26 metres), this relationship is considered to be acceptable.

The removal of the bay window from the approved scheme, would not impact on the amenity of neighbours.

- 7.7 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). It is noted no letters of objection were received with respect to the scheme.

(iv) Parking

- 7.8 As with the previous proposal, the development would create a five bedroom home of which there is a requirement to provide three parking spaces onsite. The proposed Site Layout plan shows how these spaces can be accommodated to the required size and the development is therefore considered to accord with the Parking Standards SPD and policy DM13. If permission is forthcoming, a condition requiring the provision and retention of the car park spaces is recommended.

(v) Drainage

- 7.9 Southern Water originally raised an objection to the proposal, but following further information, the objection was withdrawn, subject to a condition requiring the applicants to provide details to protect the public sewer crossing the site, as per the previous permission. This would be a pre-commencement condition, that has been agreed with the applicant's agent.

(vi) Planning Obligations/Community Infrastructure Levy (CIL)

- 7.10 The application is liable to pay the CIL a total of £14,256.87. The applicants wish to apply for self-build relief from this payment and have completed the necessary forms that will ensure that relief is given to the CIL payment which does not need to be made.

8 Conclusion

- 8.1 The principle of the development was found to be acceptable under planning permission reference APP/18/01021 and there has been no change to policy since that decision. The two changes proposed are acceptable in scale, size and design and would have a limited and acceptable impact on the neighbouring properties. As to

car parking and drainage this is acceptable, as is the CIL position. Therefore, the proposal is considered to be appropriate and recommended for approval.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/19/00983 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 Plan - Drawing No. C0118-P001
Existing Site Plan - Drawing No. C0118-P002A
Proposed Site Plan - Drawing No. C0118-P003C
Existing & Proposed Street Elevations - South - Drawing No. C0118-P208B
Existing South Elevation - Drawing No. C0118-P201
Existing West Elevation - Drawing No. C0118-P202
Existing North Elevation - Drawing No. C0118-P203
Existing East Elevation - Drawing No. C0118-P204
Existing Ground Floor Plan - Drawing No. C0118-P101
Existing First Floor Plan - Drawing No. C0118-P102
Existing Second Floor Plan - Drawing No. C0118-P103
Existing Roof Plan - Drawing No. C0118-P104
Existing & Proposed Street Elevations - South - Drawing No. C0118-P209A
Proposed South Elevation - Drawing No. C0118-P211C
Proposed East Elevation - Drawing No. C0118-P212B
Proposed North Elevation - Drawing No. C0118-P213B
Proposed West Elevation - Drawing No. C0118-P214B
Proposed Ground Floor Plan - Drawing No. C0118-P111B
Proposed First Floor Plan - Drawing No. C0118-P112B
Proposed Second Floor Plan - Drawing No. C0118-P113C
Proposed Roof Plan - Drawing No. C0118-114B

Reason: - To ensure provision of a satisfactory development.

- 3 Prior to the commencement of development details of measures to be undertaken to protect the public sewer crossing the site shall be submitted to and approved in writing by the Local Planning Authority (in consultation with Southern Water). The development shall be carried out in accordance with the approved details.

Reason: The application site lies within close proximity to a public surface water sewer and as such it should be demonstrated that any proposed development will not result in harm to the public drainage apparatus. The

condition is imposed having due regard to Havant Borough Local Plan (Core Strategy) 2011 policies CS15, CS19 and DM10 and the National Planning Policy Framework 2018.

- 4 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.

- 5 The car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the extensions being first brought into use and shall be retained thereafter for their intended purpose.

Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.