

Recommendation: **GRANT PERMISSION**

9 Penjar Avenue, Waterlooville, is a detached two storey dwelling constructed with brick and a hung tiled roof, the property is set back 14m from the main road of Penjar Avenue, the property has a wooden 5 bar gate to the front of the property and the boundary treatment consists of an approximately 1.8m close boarded wooden fence and the property boundary is surrounded by shrubbery and hedging.

01/62827/001 - Conservatory., PERM,03/01/2002
97/62827/000 - Detached double garage with 2 no. dormer windows in north elevation.
Provision of first floor accommodation involving an increased ridge height and dormer
windows to the north, south, east and west elevations of the dwelling. Single storey
extension to west elevation., PERM,22/01/1998

Erection of boundary fence to front of property between nos. 8 & 9 Penjar Avenue.

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.

Developer Services, Southern Water

Southern Water would have no objections to the above proposal.
Please find attached a plan of the sewer records showing the approximate position of a public foul sewer within the site. The exact position of the public foul sewer must be determined on site by the applicant before the layout of the proposed development is finalised.
Please note:

-The 375 mm diameter gravity foul sewer require a clearance of 3 metres either side of the gravity sewer 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 gravity sewer without consent from Southern Water.

-No soakaway, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public sewer.

-All existing infrastructure should be protected during the course of construction works. Furthermore, due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

For further advice, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119), www.southernwater.co.uk or by email at developerservices@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: 1

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
I feel that a border fence running alongside my land where i park my cars will be detrimental to my off road parking facility. Access to park my cars on my land will be compromised. When i relinquished the right of way to previous owners of 9 penjar avenue, enough land was kept by me in order to continue with my off road parking. My access was never compromised. If the decision had been made to do this i most certainly would have not relinquished the right of way.	The right of way issue is a civil issue not a planning consideration and would not be able to be taken into consideration as part of this application.
Parking in Penjar Avenue is very limited at the best of times, due to other members of the public be able to park etc not just the home owners. The off road parking is a valuable asset to my property. Having fencing where described in the	See section 7

plans will have a negative impact on the saleability of my home in the future. Two houses in our road are having problems with selling mostly due to the lack of parking spaces.	Not a planning consideration.
I have lived here for over 18 years and had the off road parking all this time even after the agreement relinquishing the right of way land.	

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 Penjar Avenue consists of terraced properties of similar design along the main road, the application site was built at a later date and is set back from these properties approximately 14m from main road. All of the properties to have boundary treatments along the shared boundaries to the rear consisting of 1.8m close boarded fencing therefore the proposal would not be out of keeping with the area.

7.4 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

7.5 The neighbouring properties to the rear and east elevation would not be impacted by the development.

7.6 The proposed fencing would be erected along the boundary with the neighbouring property to the west (No.8), the proposed fencing will be approximately 1.4m away from the boundary treatment of No. 8, which consists of a brick wall approximate 1.5 in height towards to the rear and then the outer wall of the garage is a height of over 2m, There are windows situated approximately 2.5m away from the proposed 1.98m fencing, these are partially screened by the boundary treatment of No.8. Therefore there will be an impact on this neighbouring property but its not a significant impact which would justify a reason for refusal.

7.7 A third party objection has been received with regard to the impact on parking, however it was noted on a site visit that there is off road parking available for the terraced houses along Penjar Avenue and 2 of the properties benefit from off road parking one with a garage and hardstanding to the front with the availability of parking another vehicle.

The area which the fence is to be erected would not be used for the parking of the vehicles along Penjar Avenue as this is an access road into No.9; any concerns regarding a right of way are a civil matter between the properties sharing this boundary and would not be considered as part of this application.

- 7.8 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.

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/19/00499 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:
Application Form - Received - 09 May 2019
Location Plan - Received - 28 May 2019
Block Plan - Received 28 May 2019
Elevation Plan - Received 28 May 2019
Floor Plan - Received 28 May 2019
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.