
Site Address:	32 Shaftesbury Avenue, Waterloooville, PO7 5HP		
Proposal:	Single storey rear extension.		
Application No:	APP/19/00521	Expiry Date:	11/07/2019
Applicant:	Mr Cripps		
Agent:	Mr Dudley	Case Officer:	Bee Crawford
	Vivid Design Studio Ltd		
Ward:	Stakes		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site is a semi-detached bungalow with a brown tiled pitched and hipped roof and elevations of red multibrick and timber cladding. A detached garage was situated at the rear of the property, although this had recently been demolished. The site is level with open vehicular access to the front, with a 1 metre high wall to the western boundary. The rear garden is of a reasonable size with a north/south incline and is currently uncultivated with some areas of grass and building materials and is enclosed to all boundaries with 2 metre high fencing and a 1.8 metre high hedge.
- 1.2 The adjoining semi-detached bungalow is to the west, a pair of semi-detached bungalows are to the east, the rear gardens of properties in Kennedy Close are to the rear and an amenity area and pond at a lower level to the road are opposite. The area is of medium density with semi-detached bungalows and two storey terraced properties of similar and different age, style and design.

2 Planning History

APP/19/00349 - Prior notification for single storey development extending 6 metres beyond the rear wall of the original dwelling, incorporating a maximum height of 2.7 metres and an eaves height of 2.4 metres., GPDR, 15/05/2019

3 Proposal

- 3.1 The proposal is for the construction of a single storey rear extension.

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)

CS17 (Concentration and Distribution of Development within the Urban Areas)

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)

AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

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. Under certain circumstances building over a minor sewer of small residential extensions may be allowed. In this case, however, the applicant is proposing to build over public manhole and change of direction, which will not be permitted.

Southern Water requests that this application is not determined until such time as the applicant produces a suitable layout. It may be possible for the applicant to investigate the options of diverting the sewer or moving the public manhole across the sewer line. Such approval shall be investigated under Build Over/Close to Public Sewer application process. The conditions associated with the buildover to a sewer are contained in Southern Water guidance notes which are available at: www.southernwater.co.uk.

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.

Following further details submitted by the agent, a revised response was received on 9 July from Southern Water:

Further to our previous correspondence dated 05/06/2019 and additional site layout and drainage proposals drawing provided, Southern Water would have no objections to the proposed development layout. The approved proposals are as shown on drawing: Drainage Plan drwg no 190020-14.

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. However, under certain circumstances building over a sewer may be allowed for small residential extensions. The conditions associated with the build over a sewer are contained in Southern Water guidance notes which are available at:

www.southernwater.co.uk. The

applicant is required to obtain Southern Water's approval for the proposed works under Build Over Public Sewer application process and enter with Southern Water into legal agreement – Sewer Protection Agreement.

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.

Southern Water requires a formal application for any new connections 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>

It is the responsibility of the developer to make suitable provision for the disposal of surface water. Part H3 of the Building Regulations prioritises the means of surface water disposal in the order:

a Adequate soakaway or infiltration system

b Water course

c Where neither of the above is practicable sewer

For any further queries please contact us at developerservices@southernwater.co.uk.

Officer comment: *A condition and informative is recommended as per Southern Water's request. With regard to the discharge of surface water, given that this is an application for an extension to an existing dwelling, it is considered that this issue is a matter for the Building Regulations.*

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: 4

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 0

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 The proposal is for a single storey rear extension following the removal of the existing kitchen and conservatory additions and would not be visible from the public realm. It would extend across the rear of the property with a depth of 6.75 metres on the eastern side and 6 metres adjacent to the western boundary, with a flat roof and roof light to a maximum height of 2.7 metres.
- 7.4 An application under the prior notification process was previously submitted, but was refused due to the proposed addition extending beyond a wall which is also forms a side elevation of the original dwellinghouse and would therefore have a width greater than half the of the original dwelling and for this reason would not be able to be carried out through the Prior Notification scheme.
- 7.5 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

- 7.6 There are no side windows in the proposed extension and whilst it is to be built on the boundary with 30 Shaftesbury Avenue, it is of a modest height, extending approximately 3 metres beyond the rear elevation of the extension of this neighbouring property. A 45 degree angle test was carried out as recommended in the Havant Borough Council Borough Design Guide SPD. Although the proposed extension falls slightly within the overshadowing zone of ground floor windows at 30 Shaftesbury Avenue, the impact is not considered to great as to warrant a reason for refusal. No letter of objection was received from the occupiers of this property.
- 7.7 The extension would be 1 metre from the the eastern boundary, with the nearest western elevation of the neighbouring property a further 1.2 metres away. There is a window on the southern elevation of this property and following a 45 degree angle test it was verified that the proposed extension would fall within the overshadowing zone of this window. However, it is noted that the garage which the extension will replace also currently falls within the 45 degree overshadowing zone of this property and extends 1.3 metres beyond the rear elevation of the proposed extension. It is therefore considered a reasonable outlook would be retained from the closest neighbouring window at this property and the resulting degree of impact would not be so great as to constitute a defensible reason for refusal. No letter of objection was received from the occupiers of this property.
- 7.8 There are bi-fold doors in the rear elevation of the proposal, however there is a distance of 17 metres to the rear boundary and the properties to the rear are at a higher level than the application site. It is therefore considered any impact would be negligible.
- 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). 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/19/00521 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 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.

- 3 Prior to the commencement of development, measures to protect existing public sewers shall be submitted to and approved in writing by the Local Planning Authority (in consultation with Southern Water). The development shall thereafter be carried out in accordance with the approved measures.

Reason: To safeguard the amenities and utilities of the locality and 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 2018.

- 4 The development hereby permitted shall be carried out in accordance with the following approved plans:

Drg no. 10 Location plan

Drg no. 11 Proposed block plan

Drg no. 12 Existing floor and elevations plan

Drg no. 13 Proposed floor and elevations plan

Reason: - To ensure provision of a satisfactory development.