

Recommendation: **GRANT PERMISSION**

Havant Borough Local Plan (Core Strategy) March 2011
CS16 (High Quality Design)

CS17 (Concentration and Distribution of Development within the Urban Areas)
CS9 (Housing)

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

Arboriculturalist

Please condition that the work is carried out in accordance with the the tree survey document and email from Ian Griffiths dated 28 November email.

NB: Condition recommended.

Developer Services, Southern Water

Please find attached a plan of the sewer records showing the approximate position of a public foul sewer crossing the site.

It appears that the developer is intending to build close 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. The conditions associated with the build over/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 to the sewer will required to be submitted by the applicant.

Furthermore, due to changes in legislation that came into force on 1 st 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.

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 agree with Southern Water, prior to commencement of the development, the measures to be undertaken to protect the public sewer.

For further advice, the applicant is advised to contact Southern Water. Southern House Sparrowgrove, Otterbourne, Hampshire S021 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

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 contact Southern Water. Sparrowgrove House, Sparrowgrove, Otterbourne. Hampshire S021 2SW (Tel: 0330 303 0119) or

www.southernwater.co.uk. 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 Watercourse

Where neither of the above is practicable sewer

Southern Water supports this stance and seeks through appropriate Planning Conditions to ensure that suitable means of surface water disposal are proposed for each development. It is important that discharge to sewer occurs only where this is necessary and where adequate capacity exists to serve the development. When it is proposed to connect to a public sewer the prior approval of Southern Water is required.

NB: Condition and informative recommended.

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: 7

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
- (iv) Use of the annexe
- (v) Parking
- (vi) Developer contributions

- (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 to be built at the end of the rear garden and would be visible from the

public realm. The application is for additional residential accommodation of a modest size with a width of 4.2 metres, a depth of 9 metres with a flat roof to a height of approximately 2.75 metres. It is noted the height is 0.25 metres over what could be built within the realms of permitted development, although the proposed use also triggers the need for planning permission. Whilst the structure would occupy much of the width of the garden, it is not considered to result in significant detriment to the character of 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 proposal is to be situated at the end of the rear garden, approximately 20 metres from the rear elevation of the main dwelling. There are two windows in the northern elevation which is approximately 0.7 metres from the northern boundary and six windows of a modest size in southern elevation serving the living area and bedroom and is 0.9 metres from the southern boundary. The adjacent areas of the neighbouring properties to the north and south have a greenhouse and a shed respectively. There are no windows in the rear elevation of the proposal which is a minimum distance of 1 metre from the rear boundary. It is considered any resulting impact on the adjacent properties and the properties to the rear would not be unacceptable.
- 7.6 The eastern elevation of the annexe is predominantly glazed, although it would be around 27 metres from the rear elevations of numbers 30 and 34 Muriel Road. Whilst the proposal could be perceived to result in a loss of privacy to the amenity areas of the properties immediately adjacent to the application site, some screening would be provided by the existing boundary treatment. A degree of overlooking already exists from the current property and it is deemed any additional overlooking would not be harmful.

(iv) Use of the annexe

- 7.7 Whilst the annexe would be separate from the main property with its own entrance situated in the western elevation, supporting information has been provided stating the use of the annexe is for an individual family member and a condition is recommended for the annexe to be used solely for this family member. Furthermore, from the details given it is considered a level of dependency would exist between the family use of the main house and the residential activity in the annexe.

(v) Parking

- 7.8 The resulting number of bedrooms at the property will increase from three to four, subsequently there will be a requirement for three on site parking spaces as recommended in the HBC Parking SPD (July 2016). Although there are only two on site parking spaces at the property, evidence has been provided verifying the family member who will occupy the annexe does not currently drive, nor is likely to in the future.
- 7.9 Due to the personal circumstances of the applicant, in order to negate the need for a detailed parking survey a condition is recommended that the permission shall enure for the benefit of the named family member only and the building shall revert to a use incidental to the enjoyment of the dwellinghouse when the named family member ceases to occupy the building.

(v) Developer contributions

- 7.10 The CIL rates to be applied to development are set out in the Havant Borough Community Infrastructure Levy Charging Schedule, which was adopted by the council on the 20 February 2013. This followed two public consultation exercises and an Examination into the Charging Schedule by an independent Examiner. The Examiners Report concluded that the Havant Borough Council Community Infrastructure Levy (CIL) Charging Schedule provided an appropriate basis for the collection of the levy in the borough. The levy is charged at £80 per square metre (plus indexing) on new floorspace (measured as gross internal area) in Waterlooville.
- 7.11 The scheme would be Community Infrastructure Levy (CIL) liable due to the proposed use and the appropriate forms have been submitted. The gross new internal floor space for the building has been calculated by the agent as 32 sqm which generates a total CIL liability of £3,577.14. It is noted that self build residential annexe exemption has been claimed in relation to the development.
- 7.12 Consequently, it is considered that the proposal is unlikely to 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).

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/18/00992 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 This permission shall enure for the benefit of Mr James Ronald Robert Mitchell and shall not enure for the benefit of the land, and the building hereby permitted shall revert to a use incidental to the enjoyment of the dwellinghouse when Mr James Ronald Robert Mitchell ceases to occupy the building.
Reason: This permission has been granted on the personal circumstances of

the applicant and the development is of a type not considered suitable for permanent retention in accordance with policy CS16 of the Havant Borough Core Strategy 2011.

- 4 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.

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

Location plan

Site plan

Drg no. 835/01 F Proposed floor and elevations plan

Drg no. 860118 Existing block plan

Drg no. 860218 Rev B Proposed block plan

Tree survey

email dated 28 November from Ian Griffiths

Design and access statement

Reason: - To ensure provision of a satisfactory development.