

Recommendation: **GRANT PERMISSION**

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS15	(Flood and Coastal Erosion)

CS16 (High Quality Design)
DM10 (Pollution)
DM9 (Development in the Coastal Zone)

Havant Borough Local Plan (Allocations) July 2014

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Developer Services, Southern Water

Initial response:

Please find attached a plan of the sewer records showing the approximate position of a public critical sewer crossing the site. The exact position of the foul sewers must be determined on site by the applicant before the layout of the proposed development is finalised. Construction over or within stand off distance of public sewers will not be allowed.

Southern Water requests that this application is not determined until such time as the applicant produces a suitable layout. In order to progress the proposed development on the site, the layout must be amended. In considering an amended layout, the applicant shall take into account the following requirements:

1. The 300mm and 400 mm diameter sewers require a clearance of 3 metres either side of the sewer to protect it from construction works and allow for future access for maintenance. No development or new tree planting should be located within 3 metres either side of the external edge of the public sewers.
2. No new soakaways should be located within 5 metres of a public sewer.
3. All other existing infrastructure should be protected during the course of construction works.

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, due to changes in legislation that came in to 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.

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 any new connections to the public foul and surface water sewers 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 Water course
- c Where neither of the above is practicable sewer

Southern Water supports this stance and seeks through appropriate Planning Conditions to ensure that appropriate 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.

Comments on amended plan

The proposed development layout is acceptable to Southern Water in principle, subject to confirmation of the exact location of the public critical surface water sewer. The required stand off distance shall be applied from the external edge of the sewer as located on site. Southern Water requests that the public sewer protection condition is imposed on the planning permission, if planning consent is granted.

Langstone Harbour Board

The Board's Planning Sub Committee considered this application and offered no objections to the proposals.

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
- (iv) Flooding considerations

- (i) Principle of development

- 7.2 The site lies outside the built up area, and Policy CS17 which seeks to concentrate development within the Urban Areas applies. Additionally the site falls within Flood Risk Zone 3 (area at highest risk from flooding) where Policy CS15 Flood and Coastal Erosion Risk applies. However, the development is for ancillary buildings to serve the existing dwelling on the site, and does not propose a new dwelling or ancillary residential accommodation, and the use of the proposed studio and stables would be incidental to the occupation of the existing dwelling. As such the principle is acceptable subject to the considerations below.

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

- 7.3 The proposed stables would be visible from both Havant Road and Langstone Harbour. The plans as originally submitted represented a substantial increase in height and bulk, which would have appeared intrusive. The plans have been amended to reduce the height and bulk to a similar size to the existing dilapidated stables and as now proposed would not be significantly more visible than the existing stable buildings, which owing to their appearance and proposed use are considered appropriate in this rural location, where they would be set back from both the road and the harbour.
- 7.4 A new 1.8m high acoustic fence is proposed on the garden side of the hedge fronting Havant Road. The hedge is approximately 2m high, but varies in thickness. It provides screening for the dwelling, but would benefit from infill planting to improve the screening. This is particularly relevant given the proposed studio, which is proposed to be located approx. 1.5m beyond this fencing. With respect to the studio, the footprint and height of this have been reduced since the original submission, such that the eaves height would be only marginally higher than the hedging. The building as now proposed would be 5.3m by 12.3m with a fully hipped roof, and would be constructed in weather boarding with a slate roof, which are considered appropriate materials for this non-urban setting.
- 7.5 As amended, the design and appearance of the proposal are deemed appropriate in context to the site and main building and are 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 The proposed development is separated from the nearest properties by Havant Road to the east and an unadopted access road to the north, and given this separation it is considered that the proposal would not appear overbearing or lead to overlooking and would have limited and acceptable impact on the nearby properties, 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) Flooding considerations

- 7.7 The proposed development would serve the existing dwelling on the site, and does not propose a new dwelling or ancillary residential accommodation, and is therefore acceptable in flood zones 2 and 3. A condition to prevent the studio being used for living accommodation is recommended.

8 Conclusion

- 8.1 The use, scale, siting and design of the proposal would be incidental to the existing dwelling, and have limited and acceptable impact on visual amenities and the amenities of 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/18/00391 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:
PROPOSED SITE PLAN - PH102 REV C Received 21 November 2018
PROPOSED SITE PLAN - PH103 REV C Received 21 November 2018
PROPOSED ART STUDIO FLOOR & ELEVATION- PH106 Rev E Received 14 November 2018
PROPOSED ART STUDIO ELEVATIONS - PH107D Received 14 November 2018
PROPOSED ACOUSTIC FENCE - PH109C Received 14 November 2018
PROPOSED STABLE BLOCK - PH104B Received 16 October 2018
VIEWS OF STABLE BLOCK - PH105B - Received 16 October 2018
Reason: - To ensure provision of a satisfactory development.
- 3 The developer must advise the Local Planning 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.
Reason: To safeguard the amenities of the locality and ensure that all such drainage provision is appropriately protected 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.
- 4 Throughout the period of construction on site, all hedgerows that are to be retained shall be enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.
Reason: To safeguard the continued health and presence of such existing vegetation and protect the amenities of the locality and having due regard to policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 5 No above ground construction shall be carried out until a landscaping plan for the infill and re-inforcement of the existing hedge fronting Havant Road has been submitted to and approved in writing by the Local Planning Authority. The landscaping works shown on the approved plans shall be carried out in accordance with the approved details within the first planting season following occupation of the studio development hereby permitted. Any hedging planted or retained in accordance with this condition which is removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 The external materials used shall be as indicated on the hereby approved plans.
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.
- 7 The use of the design studio hereby permitted shall be incidental to the principal use of the site for a single family dwelling and the studio shall not be used as a separate unit of living accommodation nor ancillary living accommodation.
Reason: The site lies within a flood zone where additional residential development is restricted, and having due regard to policies CS15 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 8 The use of the stables hereby permitted shall be solely for the benefit of the occupants of Pound House and the stables shall not be used for business or commercial purposes.
Reason: To accord with the terms of the application submitted, 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.