

Recommendation: **GRANT PERMISSION**

- 1.1 The application site is a two storey detached property and detached garage to the rear situated at the end of a cul-de-sac. It has a brown tiled pitched roof and elevations of red multibrick with white cladding to the front. The site is level and has open vehicular access to the front with a driveway and an area of grass, enclosed by a dwarf wall to the front and 1.2 metre high fences to the north and south. The rear garden is mainly laid to lawn with a patio area and shrubs and is enclosed to all boundaries by 1.8 metre high fencing, mature shrubs and trees.
- 1.2 Two storey detached dwellings are to the north and south and the gardens of properties in Havant Road are to the rear. The area is of low to medium density with a range of detached two storey dwellings and bungalows of a similar and individual age and different styles and designs.

APP/11/00092 - Construction of two storey side extension and single storey rear extension, permitted 31/03/2011.
APP/15/00632 - Rear extension to garage, permitted 31/07/2015.

3.1 The proposal is for the construction of a first floor rear extension, bay window to front, roof alterations and new flue.

National Planning Policy Framework
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016

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

Arboriculturalist

There is a large mature Oak in the rear garden of the neighbouring property, and it should be demonstrated how the root protection area of the tree is going to be protected during development to ensure that there will be no mixing, burning or storage of materials within this area.

Following the submission of a tree protection plan, no objection raised. If permission is granted a condition is recommended for the works to be undertaken in accordance with the tree protection plan submitted 9 March 2018.

Developer Services, Southern Water

Please note there is a public surface water sewer located within the boundaries of the site. No development or new tree planting should be located within 3 metres either side of the external edge of the public sewer and all existing infrastructure should be protected during the course of construction works.

No new soakaways should be located within 5 metres of a public sewer.

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.

The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

Southern Water requires a formal application for any new connections to the public 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 contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk."

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.

NB: 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: 5

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
I am not very happy about the creeping encroachment of this property towards us, this being the third (or maybe the fourth) building work in recent years. However, my main point of contention is the increase in window space overlooking our property as follows: 1. The two windows on the new first floor extension facing north-east and overlooking our property are much larger than the current ones as well as being somewhat closer to us. 2. The new window on the first floor extension facing north-west, although small and high, overlooks us fairly directly. No first floor windows were allowed in the previous, gable-ended extension which also faces north-west. I query its necessity, especially if the other, larger windows should be	See section 7. See section 7.

approved.	
-----------	--

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 front roof alterations and new bay window element of the proposal would be visible from the public realm, and whilst the site is fairly open to the front, the property is set back more than 10 metres from the highway and is situated at the end of a cul-de-sac. The existing front gable is being replaced by a hipped and pitched roof and the new bay window has a mono-pitched tiled roof. It is considered the proposal would result in a cohesive form of development, enhancing the external appearance of the property.

7.4 With respect to the first floor rear extension, there is adopted supplementary planning guidance in the form of the Borough Design Guide. This advises that rear extensions should be sympathetic and subservient to the original design of the building and that it is important that gaps are retained between buildings, recommending two storey and first floor extensions should be at least 2 metres from the boundary to prevent neighbouring properties being adversely affected.

7.5 The rear extension is to be built over the existing single storey rear addition and will not result in an increase to the current footprint of the site. The extension, together with the existing additions would result in a generous increase to the original volume of the property, but it is considered this can be accommodated within the extent of the site and sufficient amenity space will remain.

7.6 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

7.7 Regarding the first floor rear extension, concern was raised by the neighbour to the rear at 38 Havant Road with respect to the size and proximity of the windows in the rear elevation of the first floor extension and the window on the north-west elevation.

7.8 Whilst it is acknowledged the new windows in the rear elevation of the extension are larger than the existing and the depth of the extension approximately 2.4 metres, the property is situated such that it does not directly face the garden and property at 38

Havant Road. Furthermore, the depth of the rear garden is a minimum of 12 metres and there is existing mature screening to the rear boundary. It is therefore considered the new windows in the rear elevation would not give rise to any additional overlooking of the property at 38 Havant Road or the other properties to the rear of the application site.

- 7.9 There is one high level window at first floor on the north-west elevation and two windows on the south-east elevation (one high level). The two high level windows are secondary windows to serve the bedrooms and the other window is to serve a new en-suite. In order to protect the privacy of the neighbouring properties a condition is recommended that these windows are fitted with obscure glazing.
- 7.10 The existing minimum distance of 1.2 metres to the boundary with number 11 Kingsey Avenue will be retained and the line of the extension projects away this property. The new roof is hipped and pitches away from this boundary which would lessen any perception of the extension being overbearing to this property. It is also noted this property has the benefit of a two storey rear extension of a similar size.
- 7.11 The distance to the boundary with number 9 Kingsey Avenue is 6 metres and the extension projects away from this shared boundary, with the side elevation of the neighbouring property a further 7.5 metres away. It is therefore considered this is sufficient for any impact on this property to be negligible.
- 7.12 It is deemed the proposed new bay window would not have an adverse effect on any of the neighbouring properties.
- 7.13 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/18/00061 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 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 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, prior to first occupation of the extension hereby permitted the windows in the first floor on the south-east elevation shall be fitted with, textured glass which obscuration level is no less than Level 4 of the Pilkington Texture Glass scale (or equivalent) and retained as such thereafter.

Reason: In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, prior to first occupation of the extension hereby permitted the window in the first floor on the north-west elevation shall be fitted with, textured glass which obscuration level is no less than Level 4 of the Pilkington Texture Glass scale (or equivalent) and retained as such thereafter.

Reason: In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 The development must be undertaken in accordance with the Drawing entitled 'Tree Protection Plan' received on 9 March 2018 to include heras fencing to protect the oak tree.

Reason: Policy DM8 to protect the conservation and enhancement of existing natural features.

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

Drg no. 17037/001 Location plan, block plan, existing section, floor and elevations plan

Drg no. 17037/002 Proposed floor and elevations plan

Tree protection plan

Design and access statement

Reason: - To ensure provision of a satisfactory development.