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Site Address: 15 Marlborough Park, Havant, PO9 2PP  
Proposal: Following the demolition of an existing conservatory, erection of a new ground floor extension.  
Application Type: Full Planning Permission  
Application No: APP/24/00336                      Expiry Date: 26/06/2024  
Applicant: Mr & Mrs Yard  
Agent: Mr Bessant                      Case Officer: Robert Riley  
            JB Architecture Design  
Ward: St Faiths

Recommendation: **GRANT PERMISSION**

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## **1 Site Description**

- 1.1 The application site comprises of a two storey rendered dwellinghouse located in Havant. It features a front and rear garden, with a conservatory to the rear of the dwelling and a driveway to the front of the property fronting onto the highway.
- 1.2 The application site is in an area that would be considered both urban and residential, with the character of the road featuring other two-storey rendered dwellings in evidence.

## **2 Planning History**

- 2.1 No relevant history

## **3 Proposal**

- 3.1 There are three proposals to the application site:
- Demolition of an existing conservatory
  - Erection of a new ground floor extension with a proposed depth of approximately 9.6 metres, a proposed width of between approximately 3.5 and 7.3 metres, a proposed eaves height of approximately 2.7 metres and a ridge height of approximately 4.1 metres.
  - Patio with a maximum proposed approximate height of 0.1 metres.

## **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)  
CS19 (Effective Provision of Infrastructure)  
CS21 (Developer Requirements)

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)

Emsworth Neighbourhood Plan Post Examination Version 2020

N/A

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

**5 Statutory and Non Statutory Consultations**

**Councillor Gillian Harris**

No comments received

**Former Councillor Imogen Payter**

No comments received

**Councillor Phil Munday - St Faiths**

No comments received

**Developer Services, Southern Water**

Protection of Public Apparatus

It appears that the developer is intending to build-over a public foul sewer which is crossing the site.

Building over a “public sewer” is not normally permitted by Southern Water. An investigation of the sewer is required to confirm its size and depth, ascertain its condition, number of properties served and potential means of access before any decision can be made as to whether it would be acceptable for Southern Water to allow building-over the sewer.

The length of sewer to be built over under the terms of Part H of the Building Regulations dictates that the matter is determined by the sewerage undertaker, which in this case is Southern Water. The conditions and application associated with the build-over a public sewer are available at Southern Water's Get Connected service: [developerservices.southernwater.co.uk](http://developerservices.southernwater.co.uk).

In order to protect drainage apparatus, Southern Water requests that if consent is granted, the following condition is attached to the planning permission; prior to the commencement of development, the developer must advise the local authority, in consultation with Southern Water, of measures which will be undertaken to protect the public sewers.

Please see the attached extract from Southern Water records showing the approximate position of our existing surface water sewer in the vicinity of the development site.

- The surface water sewer requires a clearance of 3 metres on either side of the surface water sewer to protect it from construction works and to allow for future maintenance access.

- No new development or tree planting should be carried out within 3 metres of the external edge of the public surface water sewer without consent from Southern Water.
- No soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of public or adoptable surface water sewers.
- All existing infrastructure should be protected during the course of construction works.

Please refer to: [southernwater.co.uk/media/st5orjvm/stand-off-distances.pdf](https://southernwater.co.uk/media/st5orjvm/stand-off-distances.pdf)

It is possible that a sewer now deemed to be public could be crossing the development site.

Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

#### Foul and Surface Water Drainage

Southern Water requires a formal application for any new connection to the public sewer to be made by the applicant or developer.

To make an application visit Southern Water's Get Connected service: [developerservices.southernwater.co.uk](https://developerservices.southernwater.co.uk) and please read our New Connections Charging Arrangements documents which are available on our website via the following link: [southernwater.co.uk/developing-building/connection-charging-arrangements](https://southernwater.co.uk/developing-building/connection-charging-arrangements)

In situations where surface water is being considered for discharge to our network, we require the below hierarchy for surface water to be followed which is reflected in part H3 of the Building Regulations. Whilst reuse does not strictly form part of this hierarchy, Southern Water would encourage the consideration of reuse for new developments.

- Reuse
- Infiltration
- Watercourse
- Storm Sewer
- Combined Sewer

Guidance on Building Regulations is here:

[gov.uk/government/publications/drainage-and-waste-disposal-approved-document-h](https://gov.uk/government/publications/drainage-and-waste-disposal-approved-document-h)  
Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX  
[southernwater.co.uk](https://southernwater.co.uk)

Southern Water Services Ltd, Registered Office: Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX Registered in England No. 2366670

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).  
Website: [southernwater.co.uk](https://southernwater.co.uk) or by email at: [SouthernWaterPlanning@southernwater.co.uk](mailto:SouthernWaterPlanning@southernwater.co.uk)

**Officer comment:** See Section 7(iv) below - the requested pre-commencement condition has been agreed with the applicant's agent and forms part of the recommendation.

## **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: 6

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) Southern Water

(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

### *Character*

7.3 Whilst the extension would feature a substantial depth with a proposed long pitched roof rear extension connecting to the existing rear elevation, its single storey nature, modest height with pitched roof design and modest width can on balance be considered a subservient addition to the host dwelling meeting the requirements of policy CS16 and the Design Guide SPD. It would also involve the demolition of the existing conservatory which is considered acceptable and feature a new patio which would conform to permitted development rights due to a maximum height of approximately 0.1 metres above ground level and therefore is not required to be considered as part of this application.

7.4 It is considered that due to the extension works not being readily visible, and due to its modest height in comparison to the host dwelling, that the proposal on balance would have an acceptable impact regarding the character of the resultant dwelling and the streetscene.

### *Materials*

7.5 The materials would largely match the existing dwellinghouse except for a small area

of single ply flat roof which is considered acceptable with regards to the host dwelling.

- 7.6 The design and appearance of the proposal is therefore deemed on balance to be 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 To the northwestern side and southeastern side of the application site are Nos 98 and 100 Southleigh Road and 14 Marlborough Park. Due to their proximity, the main neighbour impacts to assess would be in regard to these three properties. The demolition of the conservatory would have an acceptable impact with regards to neighbours and is considered acceptable in this regard, and the proposed patio was confirmed in an email uploaded on 10/6/24 to feature a height of no more than approximately 0.1 metres and would fall under permitted development rights and is not required to be considered as part of this planning application.
- 7.8 Officers note that with regards to any potential overlooking concerns, that the extension would feature a new obscure window on the western elevation to serve a shower room - this window would principally receive shielding from the boundary treatment. However, if permission is forthcoming, this window would be conditioned to be obscured, and would therefore be considered to have an acceptable impact regarding overlooking. Regarding the fenestration for the southern rear elevation, it would replace fenestration that is already there, and would face onto existing boundary treatment, and therefore its impact is considered to be acceptable. Regarding the proposed fenestration on the eastern elevation, it would be facing the common boundary treatment between Nos 15 and 14, and would not unacceptably increase overlooking. Overall, with regards to these considerations, this proposal would have an acceptable impact regarding potential overlooking.
- 7.9 In other respects, with regards to this proposal, officers have considered it important to assess the potential impacts of overshadowing, sense of overbearing and potential loss of outlook upon the neighbouring properties of Nos 98 and 100 Southleigh Road and 14 Marlborough Park

*No.98 Southleigh Road*

- 7.10 With regards to No.98 Southleigh Road, officers note that this extension would feature a very limited separation distance from No.98's boundary treatment of approximately 0.4 metres. However, as this extension features a modest height and would face an existing outbuilding of this dwelling, officers consider the impact upon this dwelling and its private amenity space to be limited and acceptable.

*No.100 Southleigh Road*

- 7.11 With regards to No.100 Southleigh Road, officers note that the extension would create a long continuous flank wall when viewed from No.100's rear garden with only one window on the elevation with regards to detailing. It is noted that the extension would feature a limited, approximately 0.7 metre separation distance from the shared boundary of No.15 Marlborough Park and No.100 Southleigh Road, furthermore, it is also noted that the garden depth for No.100 is limited at only approximately 7.4m. However, the extension would in part replace existing buildings in the form of the

existing conservatory and an outbuilding at No.15, and the 7.4m separation distance is no less than the distance between the main bulk of No.15's existing dwelling and No.100's conservatory. Furthermore, the proposed extension would be clearly subservient in scale to the main house and would feature a roof hipping away from the common boundary. It is also noted that this area is characterised by small size rear gardens, and therefore on balance it is considered the proposal would have a limited and acceptable impact upon the outlook and amenity of No.100.

#### *No.14 Marlborough Park*

- 7.12 Officers consider that with regard to the modest eaves height and furthermore sufficient proposed separation distance from the works, that impacts upon No.14 Marlborough Park would be acceptable.
- 7.13 In conclusion, it is considered that the proposal would on balance not appear overbearing or lead to a loss of light, outlook or privacy 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.

#### (iv) Southern Water

- 7.14 It is noted that the extension would build-over a public foul sewer which is crossing the application site. Whilst not objecting to the application, Southern Water has requested that if permission is forthcoming, the following condition is added "*prior to the commencement of development, the developer must advise the local authority, in consultation with Southern Water, of measures which will be undertaken to protect the public sewers*".
- 7.15 In light of this, a pre-commencement condition has been agreed with the agent in an email uploaded on 25/6/24 "*Prior to the commencement of development, details shall be submitted to, and approved in writing by the local authority in consultation with Southern Water, of measures which will be undertaken to protect the public sewers. The approved measures shall be carried out in full throughout the construction process*". With this safeguard in place, officers are satisfied with the potential impacts upon the sewage network.

## **8 Conclusion**

- 8.1 The proposed development is acceptable in principle, is on balance considered appropriate in terms of design and its impact on the character of the area, and on balance it is considered that it would have a limited and acceptable impact on the neighbouring properties. On this basis it is recommended for approval.

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## **9 RECOMMENDATION:**

That the Head of Place be authorised to **GRANT PERMISSION** for application APP/24/00336 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:

Drawing Number: PL.802.24.01: SITE AND LOCATION PLANS: Uploaded 2/5/24

Drawing Number: PL.802.24.02: EXISTING GROUND FLOOR PLANS AND ELEVATIONS: Uploaded 2/5/24

Drawing Number: PL.802.24.03 Revision B: Amended PROPOSED FLOOR PLAN AND ELEVATION PLAN WITH SHOWER ROOM ANNOTATION: Uploaded 19/6/24

**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.

- 4 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order, prior to being brought into use the window serving the shower room in the western elevation on the plans hereby approved shall be fitted with textured glass, which obscuration level is no less than Level 4 of the Pilkington Texture Glass scale (or equivalent), and shall be 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 Prior to the commencement of development, details shall be submitted to, and approved in writing by the Local Planning Authority in consultation with Southern Water of measures which will be undertaken to protect the public sewers. The approved measures shall be carried out in full throughout the construction process.

**Reason:** This condition is to ensure that the proposal would not have unacceptable impacts upon the public sewers. This condition is a pre-commencement condition due to the importance of the protection of public sewers in the borough, and having due regard to Policies CS19 and CS21 of the Havant Borough Local Plan (Core Strategy) 2011