
Site Address:	3 St James Road, Emsworth, PO10 7DN		
Proposal:	Installation of raised terrace.		
Application Type:	Full Planning Permission		
Application No:	APP/22/00252	Expiry Date:	05/05/2022
Applicant:	Ms Harris		
Agent:	Ms Mottershead	Case Officer:	Lewis Ford
	Jane Mottershead Designs Ltd		
Ward:	Emsworth		

Recommendation: **GRANT PERMISSION**

1 Site Description

The application site is No.3 St James Road. The site is identified as being in Character Area 4 of the Emsworth Neighbourhood Plan which includes terraced and semi-detached properties from the late-nineteenth to mid-twentieth centuries. The site itself includes a semi-detached 2.5 storey dwellinghouse comprising traditional bricks, grey tiles, and white render. Planning permission was granted in March 2022 under reference APP/21/01464 for a single-storey rear extension with materials to match the existing dwellinghouse. Once completed, the rear garden will extend 20 to 25m downslope from the recently permitted extension to the rear boundary wall. The above range is due to the curved nature of the rear boundary.

2 Planning History

APP/21/01464 - Single storey rear extension., PERM,01/03/2022.

3 Proposal

Installation of raised terrace.

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

CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS19	(Effective Provision of Infrastructure)
DM10	(Pollution)

Havant Borough Local Plan (Allocations) July 2014

DM25	(Managing Flood Risk in Emsworth)
AL1	(Presumption in Favour of Sustainable Development)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Submission Version Havant Local Plan

Emsworth Neighbourhood Plan Post Examination Version 2020

ENP_D1 (General Design Policy)

ENP_D2 (Height, Mass & Materials)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Councillor Julie Thain-Smith

No comment.

Councillor Lulu Bowerman

No comment.

Councillor R Kennett

No comment.

Developer Services, Southern Water

The existing building lies close to an existing public foul sewer. If the works to be carried out will alter the existing foundation line or depth or the structural load applied on the sewer it will be necessary for the applicant to contact Southern Water.

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

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

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.

Southern Gas Network

No comment.

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: 0

7 Planning Considerations

- 7.1 The construction of the proposed raised terrace started on 31/01/2022 despite formal planning permission not being granted. For the avoidance of doubt, the start of construction is not a material planning consideration and so has not been considered as part of this delegated report.
- 7.2 Planning permission was granted under reference APP/21/01464 on 01 March 2022 for the demolition of the existing “lean-to” extension and the construction of a single-storey “L-shaped” rear and side extension with no external lighting. Having due regard to this recent planning permission and the relevant policies in the development plan, it is considered that the main issues arising from this application are:
- (i) Principle of Development
 - (ii) Impact on the Character of the Area & Appropriateness of Design
 - (iii) Impact on Neighbouring Properties
 - (iv) Flood Issues
 - (v) Impact on Utilities
- (i) Principle of Development
- 7.3 The site is located within the defined urban area as set out in Policies CS17 and AL2. As such, development is considered acceptable in principle subject to development management criteria.
- (ii) Impact on the Character of the Area & Appropriateness of Design
- 7.4 The site already includes an existing raised terrace with a retaining wall (with rails) and steps down to the rear garden. The existing terrace has a height of approximately 1.3m above ground level. The proposed development would comprise an additional smaller raised terrace with steps – between the existing terrace and rear garden - to provide a gentle “stepped decline” down to the rear garden. The proposed terrace would have a height of approximately 0.65m above ground level and so would have an equidistant height between the existing terrace and the rear garden surface levels. The proposed terrace would extend out from the existing terrace by / have a depth of approximately 4.2m and would extend across the whole width of the property equating to a width of approximately 5.6m. It would, therefore, have a surface area of approximately 23.52sqm.
- 7.5 The proposed terrace would comprise block and brick construction to match the existing adjacent terrace above. In addition, the proposed terrace would be of a similar height to, and would broadly extend out to the same depth as, the existing raised terraces at Nos 1 and 5 St James Road to the north and south respectively. As such, the proposed raised terrace would accord with Policy D2 in the Emsworth Neighbourhood Plan as it would have a height, mass, and materials similar to the adjacent raised terraces at the neighbouring properties.

- 7.6 The appearance, design, height, and mass of the proposed raised terrace is considered appropriate in the context of the site and its locality. The proposed raised terrace would broadly mirror the adjacent raised terraces at the neighbouring properties. As such, the proposed development is considered to have used the characteristics of the locality to inform its design and massing and, therefore, is in-keeping with the local pattern of development. Moreover, the proposed raised terrace is considered to be acceptable as it would not result in an adverse impact on the visual amenity of the locality and, therefore, it would meet the requirements of Policy CS16 in the Havant Borough Local Plan (Core Strategy), along with Policies D1 and D2 in the Emsworth Neighbourhood Plan.

(iii) Impact on Neighbouring Properties

- 7.7 The proposed terrace would be approximately 19m from the rear boundary and would be of a similar height to, and would broadly extend out to the same depth as, the existing adjacent raised terraces at Nos 1 and 5 St James Road to the north and south respectively. The applicant has proposed to raise the boundary fence either side of the proposed terrace (but not the whole length of the rear garden) to achieve a minimum height of 1.8m above the surface of the proposed terrace to reduce the potential for overlooking and loss of privacy. This aligns with the recommendations of the Havant Borough Design Guide SPD regarding adequate side boundary fencing and screening.
- 7.8 In conjunction with the above, it is noted that applicant is responsible for the northern side boundary fence, but the responsibility / ownership of the southern side boundary fence belongs to the neighbouring property, No.5 St James Road. This means that the applicant can install the proposed taller fence on the northern side boundary but the installation of the proposed taller fence on the southern side boundary will require negotiation with the occupants at No.5 St James Road. Although this is a civil matter, Planning Condition No.4 has been proposed below to ensure that appropriate screening can be agreed prior to further above ground construction works taking place.
- 7.9 The remainder the boundary fence beyond the proposed terrace is not proposed to be raised to achieve the 1.8m height above surface level. This is not considered to be unacceptable as there is already; 1) an existing degree of overlooking over the rear gardens of Nos 1, 3 and 5 St James Road due to the east-to-west downward slope; and 2) the existing raised terraces at Nos 1 and 5 St James Road to the north and south respectively.
- 7.10 Moreover, it is considered that the proposed raised terrace would not appear overbearing, and it would have an acceptable impact on the properties immediately adjacent to the site. In light of the above, it is considered that the proposed raised terrace would meet the requirements of Policy CS16 in the Havant Borough Local Plan (Core Strategy) 2011 subject to Planning Condition No.4. Notwithstanding the above, it is noted that no letters of objection have been received with respect to the proposed raised terrace.

(iv) Flood Issues

- 7.11 The site slopes downwards in an east-to-west direction. The lower western section of the site is in Flood Zones 2 and 3, and climate change modelling has predicted that the western section of the site will also be in a future flood zone. Despite the above, the existing dwellinghouse, the recently permitted extension, and the proposed raised

terrace are in the higher eastern section of the site and are not in current or future flood zones. Moreover, due to scale, extensions to, and householder developments at, existing dwellinghouses are exempt from the requirements of Policy DM25 in the Havant Borough Local Plan (Allocations) 2014 regarding flood risk management in Emsworth.

- 7.12 In light of all the above, it is considered that the proposed raised terrace would not put occupiers or employees of the emergency services at any additional risk in the event of a flood. As such, the proposed development is not contrary to Policy CS15 in the Havant Borough Local Plan (Core Strategy) 2011.

(v) Impact on Utilities

- 7.13 Southern Water has confirmed that a Southern Water Foul Sewer Line lies close to the existing dwellinghouse. As such, if the works to be carried out would alter the existing foundation line or depth or the structural load applied on the sewer, then it would be necessary for the applicant / agent to contact Southern Water. Southern Water has advised that, in the instance that any sewer is found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further work can commence on site. In acknowledging Southern Water's comments, Planning Condition No.4 has been proposed to ensure the adequate protection of infrastructure in line with Policies CS19 and DM10 in the Havant Borough Local Plan (Core Strategy) 2011.
- 7.14 In terms of the Southern Gas Network (SGN), the site is in the High Pressure (HP) Pipe 300m Buffer Zone. Given the scale of the proposal - and the fact that Southern Gas has not commented - it is not considered necessary to include a planning condition regarding the adequate protection of the SGN. Instead, a standard SGN informative has been proposed.

8 Conclusion

- 8.1 The scale, siting and design of the proposed raised terrace would have a limited and an acceptable impact on the locality and neighbouring properties. The proposed raised terrace is, therefore, considered to be appropriate and is recommended for approval subject to the below planning conditions.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/22/00252 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:

Location Plan
Block Plan
Existing Plans
Proposed Plans
Proposed Additional Raised Terrace Statement

Reason: - To ensure provision of a satisfactory development.

- 3 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.

- 4 No above ground construction works shall take place until plans and particulars specifying the alignment, design, height, materials and type of all proposed screen walls, fences, hedges and/or other means of enclosure to be provided along the side boundaries of the development – with the screening to be a minimum height of 1.8 metres as measured from the surface floor level – have been submitted to, and approved in writing by, the Local Planning Authority. At all times thereafter, all the screening provision hereby approved shall be retained in a wholly sound and effective condition.

Reason: To safeguard the amenities of the occupiers of neighbouring properties and ensure the appearance of the development is satisfactory and having due regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 In the event that public sewers are found at any time when carrying out the approved development which were not previously identified, development shall STOP until details of the measures which will be undertaken to protect the public sewer(s) have been submitted to, and approved in writing by, the Local Planning Authority. Following approval, such measures shall be implemented on site in complete accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the adequate protection of infrastructure having due regard to Havant Borough Local Plan (Core Strategy) Policies CS19 and DM10 and the National Planning Policy Framework.