

**TOWN AND COUNTRY PLANNING
ACT 1990 (AS AMENDED)**

**STATEMENT OF
HAVANT BOROUGH COUNCIL**

35 Charlesworth Drive, Waterlooville, PO7 6AX

**Local Planning Authority Reference:
APP/21/00179**

Planning Inspectorate Reference:

APP/X1735/W/21/3285896

HAVANT BOROUGH COUNCIL



TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)

APPEAL BY STACY DUGAN AGAINST THE CONDITIONS IMPOSED BY HAVANT BOROUGH COUNCIL UNDER APP/21/00719 FOR (A SINGLE STOREY FRONT EXTENSION ; REMOVAL OF EXISTING CONSERVATORY & REPLACE WITH SINGLE STOREY REAR EXTENSION ; LOFT CONVERSION INCLUDING RAISING OF RIDGE HEIGHT, FRONT AND REAR DORMERS AND HIP TO GABLE WITH CLADDING ON GABLE ENDS; DEMOLITION OF EXISTING GARAGE ; RENDER TO ELEVATIONS AND FENESTRATION ALTERATIONS AT 35 CHARLESWORTH DRIVE , WATERLOOVILLE PO7 6AX)

Planning Inspectorate Reference: APP/X1735/W/21/3285896

LPA REF: APP/21/00719

1.0 THE APPEAL SITE AND ITS SURROUNDINGS

- 1.1 35 Charlesworth Drive is a detached bungalow located on the north side of Charlesworth Drive, Waterlooville. The site is situated on a corner plot location adjacent to the junction where Charlesworth Drive meets Armstrong Close. The rear of the site backs on to Armstrong Close and the front garden of no 1 Armstrong Close to the north. In the rear garden is a detached garage and towards the front of the plot is a front garden with a low boundary wall bordering the public highway. The property has a tiled, hipped roof to the side and projecting front facing gable end. The elevations comprise of white render. The site location is shown on the attached Location Plan at APPENDIX A.
- 1.2
- 1.3 The area is predominantly residential in character, mainly comprising bungalows and chalet bungalows.

2.0 PLANNING HISTORY

- 2.1 02/50124/003 Erection of side extension (east elevation) and raising of eastern boundary wall to 2m PERM 22/04/2002

APP/21/00179 Single storey front extension; removal of existing conservatory & replace with single storey rear extension; loft conversion including raising of ridge height, front and rear dormers and hip to gable with cladding on gable ends; demolition of existing garage; render to elevations and fenestration alterations.
PERM 16/07/2021

APP/21/00825 Single storey front extension; removal of existing conservatory & replace with single storey rear extension; loft conversion including front and rear dormers and hip to gable roof with cladding on gable ends; removal of existing garage; render to elevations and fenestration alterations. REF22/09/2021- APPEAL

3.0 **THE APPLICATION**

3.1 This proposal was for a single storey front extension, the removal of the existing conservatory to be replaced with single storey rear extension. A loft conversion is also proposed including raising of ridge height, front and rear dormers and hip to gable with cladding on gable ends; demolition of existing garage; render to elevations and fenestration

3.2 The application was subsequently approved on the 16.07.2021 following amendments from the initial submission with the following conditions imposed :

The development must be begun not later than three years beginning with the date of this permission.

3.3 **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.

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

Location Plan

Proposed elevations Drawing 2 uploaded on the 01.06.2021

Proposed floor plans Drawing 3 uploaded on the 01.06.2021

Block plan Drawing 4 uploaded on the 01.06.2021

Proposed streetscene Drawing 5 uploaded on the 01.06.2021

Our Ref: APP/21/00179

Schedule of proposed materials uploaded on the 10.06.2021

Reason: To ensure provision of a satisfactory development.

The external materials used shall be as shown in the 'Schedule of proposed materials' uploaded on the 10.06.2021 unless otherwise agreed in writing with the local planning authority.

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.

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 rear dormer serving bedroom 1 on the rear elevation

facing north and the first floor window serving the ensuite bathroom on the side elevation facing west shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and 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.

The car parking, servicing and other vehicular access arrangements shown on the

approved plans to serve the development hereby permitted shall be made fully available for use prior to the extensions hereby permitted being first brought into use and shall be retained thereafter for their intended purpose.

Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

4.0 PLANNING POLICIES

The following national and Local Policies are considered relevant to the consideration of this appeal:

National Policies

National Planning Policy Framework

- 4.1 The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally prepared plans for housing and other development can be produced.

Local Planning Policy

- 4.2 Havant Borough Local Plan (Core Strategy) March 2011 policy CS16 (High Quality Design) is considered particularly relevant to this appeal.

- 4.3 Havant Borough Council Borough Design Guide SPD December 2011 sets out relevant design considerations in relation to planning applications.

Planning Policy Guidance – Design: process and tools

- 4.4 The Havant Borough Council Borough Design Guide Supplementary Policy Document (2011) states on page 48 paragraph 5.50 how 'New dormers, rooflights and windows should not have an adversely negative effect on the privacy of neighbours'.

- 4.5 The Development Plan comprises, Havant Borough Local Plan (Core Strategy) 2011, Havant Borough Local Plan (Allocations) 2014 and the Hampshire Minerals and Waste Plan 2013 (the last document is not relevant to this appeal).

Havant Borough Council Borough Design Guide Supplementary Policy Document December 2011

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

The Planning Inspectorate has previously been provided with relevant Local Plan extracts.

5.0 REPRESENTATIONS

- 5.1 Representations objecting to the proposal were received in relation to this application and these have been forwarded to the Planning Inspectorate. They are also summarised in the Officers Report at APPENDIX B. It is noted that many of the concerns raised relate to impact on neighbour amenity and on the character of the area.

6.0 PLANNING CONSIDERATIONS

- 6.1 The attached officers report in relation to the consideration of the planning application has previously been forwarded to the Planning Inspectorate.
- 6.2 Planning law requires that applications for planning permission must be determined in accordance with the Development Plan (the Core Strategy and the Allocations Plan), unless material considerations indicate otherwise.
- 6.3 Reasons for condition 4 relating to the obscure glazing of the first floor rear dormer window serving bedroom 1 and the first floor window serving the ensuite bathroom on the side elevation facing west :

- 6.4 Policy CS16 of the Local Plan advises that all development should demonstrate in its design that it does not cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking.

Havant Borough Design Guide Supplementary Planning Document 2011 has been adopted by the Council,

- 6.5 *'The aim of the Havant Borough Council Design Guide Supplementary Planning Document (SPD) is to provide detailed information that supplements Policy CS 16 of the Havant Borough Core Strategy, to raise the standard of design across the Borough and set out what the Council expects developers to deliver in terms of the design of new developments and how the distinctive character and qualities of the Borough should be respectfully improved and enhanced through development.'*

- 6.6 The Havant Borough Design Guide states the importance of maintaining privacy to private amenity spaces stating that 'Some overlooking of gardens from the upper floors of dwellings will be unavoidable in most urban and suburban housing layouts. However, the design should aim to mitigate these effects as far as possible by carefully designing the internal floor layout to concentrate habitable rooms away from adjacent properties where overlooking could be an issue. The council could also impose a planning condition as part of a planning consent, requiring obscurely glazed first floor bathroom or secondary windows to protect residential amenity' .

The proposed rear bedroom 1 dormer window would be situated within approximately 12 metres of no 1 Armstrong Close to the north. No 1 Armstrong

6.7 Close has a bedroom window located on the side elevation in line of sight of the approved rear dormer window. This window was therefore considered to result in harmful overlooking to this private amenity space and therefore conditioned to be obscure glazed with non-opening lights below 1.7 metres above finished floor level. This room would be served by the dormer to the front elevation which was deemed to supply adequate light to the room. The proposal to remove this condition would conflict with Havant Borough Design Guide SPD and the policies highlighted including policy CS16 of the Havant Local Plan

6.8 The side elevation bathroom window would be sited very close to the boundary shared with no 33 sited to the east. It is judged this window would offer partial views back towards the rear garden of no 33 considered to be private amenity space. The proposal to remove this condition would conflict with Havant Borough Design Guide SPD and the policies highlighted including policy CS16 of the Havant Local Plan

6.9 For the reason outlined above, it is considered that the clear glazing of the windows would not be appropriate, causing harm to neighbour amenity in the form of overlooking where properties are sited within close proximity of one another. It is therefore considered that the proposed development does not comply with policy CS16 of the Local Plan (Core Strategy)

Comments on Appellants Statement of Case

Please refer to comments above.

7.0 CONCLUSION

7.1 It is considered that the removal of condition 4 referring to the obscure glazing of the bedroom 1 dormer window would have a harmful impact on the amenity of no 1 Armstrong Close in terms of overlooking due to the close proximity of the dwellings.

The Inspector is respectfully asked to dismiss this appeal. In accordance with Appeal Guidance recommended conditions in the eventuality that the appeal is allowed will be forwarded separately.

APPENDICES

- (A) Location Plan
- (B) Officers report
- (C) Decision notice for APP/21/00179
- (D) Decision notice for APP/21/00825
- (E) Aerial View
- (F) List of suggested conditions

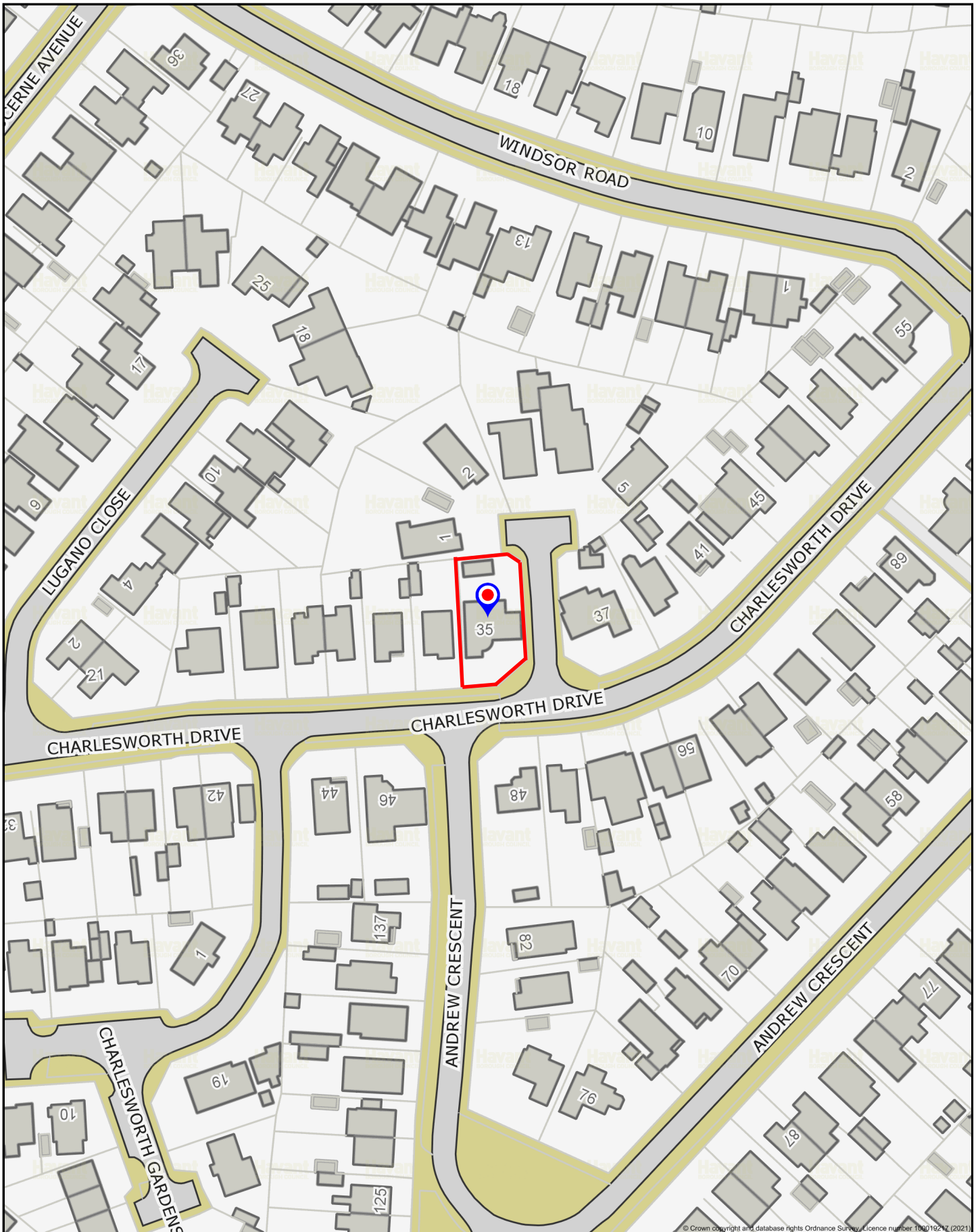
APPENDIX A

Borough of Havant



The Site

- Main Retail/Commercial/Office Areas
- Urban Areas
- Industrial Areas
- Open Space/Recreation
- Borough Boundary



35 Charlesworth Drive

Havant
BOROUGH COUNCIL

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APPENDIX B

Site Address: 35 Charlesworth Drive, Waterloo, PO7 6AX

Proposal: Single storey front extension; removal of existing conservatory & replace with single storey rear extension; loft conversion including raising of ridge height, front and rear dormers and hip to gable with cladding on gable ends; demolition of existing garage; render to elevations and fenestration alterations.

Application No: APP/21/00179 Expiry Date: 29/04/2021

Applicant: Ms S Dugan

Agent: Case Officer: Selina Donophy

Ward: Waterloo

1 Site Description

The area is predominantly residential in character , mainly comprising bungalows and chalet bungalows .

02/50124/003 - Erection of side extension (east elevation) and raising of eastern boundary wall to 2m., PERM,22/04/2002

Single storey front extension; removal of existing conservatory & replace with single storey rear extension; loft conversion including raising of ridge height, front and rear dormers and hip to gable with cladding on gable ends; demolition of existing garage; render to elevations and fenestration alterations.

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

CS16 (High Quality Design)

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)

AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements)

Submission Version Havant Local Plan

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Councillor Gwen Robinson

No comment

Councillor Mike Sceal

No comment

Councillor Peter Wade

No comment

Developer Services, 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.

To make an application visit southernwater.co.uk/developing and please read our New Connections Services Charging Arrangements documents which are available on our website via the following link southernwater.co.uk/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

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.

For Southern Water Planning Webpage please click the below link:

southernwater.co.uk/regulations-services/planning-your-development

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).

Website: southernwater.co.uk or by email at:

SouthernWaterPlanning@southernwater.co.uk

Engineering/Drainage

No comments received

Hampshire Highways

The applicant has provided an access plan which details the location of the proposed dropped kerb into the property. The location of the access will not result in demonstrable harm to the highway and the Highway Authority therefore raise no objection to the proposed development

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: 10

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 44

Number of comments received :	Officer Comment
44 representations of objection received 0 Support comments received	Please see comments below and 'Planning Considerations' section of the report.

Issues of concern raised :

- Size and appearance out of keeping with the area
- Parking
- Dormers bulky and unattractive
- Overdevelopment of site
- Impact on amenity of neighbouring properties
- Overlooking
- Overshadowing
- Loss of bungalows and lack of suitability for disabled people
- Concern in relation to use
- Devaluing other properties : case officer comment - this is not a material planning consideration.

Other issues :

Comments have been received relating to an application at No 48 Charlesworth Drive (APP/18/00666) which was withdrawn following case officer concerns relating to a rear extension - it is noted that a reason for concern related to the ridge height of the rear extension however this was down to the impact of the proposed rear extension ridge height and overall scale creating a dominant and non subservient appearance in relation to the host property and subsequent impact on neighbour amenity. The context and impact of the application at no 48 and this application is deemed to be different to that currently proposed at no 35.

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) Parking and access
- (v) CIL

(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.

7.3 This proposal has undergone amendment following its initial submission due to case officer concerns in relation to the initial proposal regarding both impact on the character of the area and impact on neighbour amenity. The initial proposal included a large, 12 metre long rear dormer which was deemed to add considerable and harmful mass and bulk to the roof slope. The proposed dormer has subsequently been split to form 2 smaller dormers, set up from the eaves, in from the sides of the roof and with a gap retained for a more subservient appearance. The dormers have been reduced in depth by approximately 1.2 metres, reduced in height by approximately 0.5 metres and reduced in width by approximately 5 metres. The rear dormer window closest towards the east has also been obscure glazed up to a minimum of 1.7m from finished floor level to reduce overlooking back towards no 1 Armstrong Close. The front extension has also been reduced by 1 metre to create a softer appearance on the streetscene as well as internal reconfigurations made.

7.4 It is noted that objection letters raise concerns relating to the possible use of the property as a House of Multiple Occupation (HMO) or potential for the property to be let out for non residential purposes outside of a family unit. There is not judged to be any evidence that this would be the case and the final internal layout supplied is deemed to accord with the expected layout of a typical residential dwelling falling within use class C3 (Dwellinghouses). The applicant has supplied further documentation with this application specifying proposed use of the site. There is not judged to be adequate reasoning to suggest the site would be used in any other manner other than for residential purposes for the applicants.

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

- 7.5 As specified above this proposal has undergone amendments. The amended and final proposal would comprise of the raising of the roof ridge by approximately 0.5 metres in height alongside a hip to gable roof extension and a dormer to the front roof slope formed from 2 pitched roof dormers linked in the middle - this would have a total width of approximately 6.5 metres. Other alterations to the front of the property include a single storey extension which would have a depth of approximately 3.5 metres, width of 4 metres and ridge height of 3.6 metres. There would be single storey additions to the rear of the property also with the rear elevation extended by 1 metre and a single storey, flat roof extension which would have a depth of 6 metres and width of 3.5 metres and this would be sited on the side of the property closest to the road. Dormers are proposed to the rear roof slope which would be set in from the side of the roof by approximately 1.5 metres and would have widths of 3.7 metres, depths of 4.5 metres and would have flat roofs with a height of 2 metres. A 3.7 metre gap would be retained between both dormers which would feature a rooflight. Proposed materials include grey marley roof tile to the roof and dormers as well as grey cladding and white render.
- 7.6 The proposal would allow for 3 bedrooms, one with ensuite and a bathroom at first floor level. Bedroom 1 would be obscure glazed to minimum 1.7m height, however would be dual aspect with the window to the front dormer also serving this bedroom. The ensuite window to the side elevation would also be obscure glazed. At ground floor level there would be an open plan kitchen/living room, leading into a newly created family room to the rear. The front extension would create a store room and the remainder of the ground floor would allow for a dining room, snug, office, utility room, w.c. and bathroom. The proposals would also include the block paving of the front garden area for use as a driveway/parking area - many properties along Charlesworth Drive also use the front space as a driveway and therefore this would not disrupt the surrounding pattern of development.
- 7.7 The final proposal as detailed above would comprise a raised ridge line of 0.5 metres which is not deemed to result in a dominant appearance when judged within the context of the area. Whilst it is noted that the area comprises bungalows, there is no specific set pattern of development to roof styles in the street, with a mixture of hipped, pitched and front gabled properties all within close proximity of the application site. The proposed roof increase is therefore deemed acceptable. In regards to the proposed roof dormers, there are many examples of dormers also in the immediate vicinity - when looking from the junction to Armstrong Close, 5 dormers can be seen from this outlook both along Charlesworth Drive and Armstrong Close. The proposed dormers are considered acceptable in both scale and design and accord with the Havant Borough Design Guidance in that they appear as subservient additions to the roof and are set in from the sides of the roof slope. The proposed front extension would result in some loss of open space towards the front of the site although the building line would remain at single storey level, with an element of symmetry retained with the other projecting gable to the front of the property. The hip to gable roof extension is also deemed acceptable in appearance, mirroring that of no 37 on the opposite side of the junction with Armstrong Close. It is noted that comments received in objection to the proposal relate to the loss of bungalows in the area.

There is no policy in the Local Plan which relates to bungalow retention - in addition many surrounding properties have undergone alterations to the roof space and in some cases this could be done within permitted development which would not require planning permission. The rear extensions are judged to be acceptable in scale and style , whilst partially visible from the road due to the corner plot location, they would not create any form of harmful development.

- 7.8 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

- 7.9 To the east of the application site is no 33 Charlesworth Drive . No 33 is a pitched roof bungalow which is set slightly back from the rear elevation wall of no 35. The properties are sited within close proximity, separated by 3 metres between both side elevations. No 33 features 3 windows on the side elevation adjacent with no 35 , one serving a bedroom and 2 serving a lounge located towards the rear of the property. The lounge is also served by windows and a door to the rear elevation. The proposed extensions at no 35 would evidently be a visible feature from the rear of no 33- the roof ridge would be raised alongside the dormers and extended rear elevation adding to an increased mass of building line on this side. Despite this, the side windows at no 33 are already partially obscured by the existing building line at no 35 and whilst it is noted the raising of the roof line will have some impact on the outlook / daylight received by this window, this is deemed to have a limited impact in terms of overall light received by this room due to the dual aspect nature of the windows serving the lounge , accounting for the wide rear elevation door/windows. The proposed dormer windows are not deemed to result in any harmful overlooking towards this property- the closest window would be obscure glazed as would the first floor side elevation window.
- 7.10 To the west of the application site is no 37 Charlesworth Drive which is separated from the application site by Armstrong Close. The separation distance of the road is deemed to mitigate against any significant impact to this property.
- 7.11 To the north (rear) of the application site is no 1 Armstrong Close. The proposed dormer windows would have outlooks back in this direction. Upon assessment of the site it was deemed that the garden depth of the proposal site would result in a fairly close relationship between the dormers and the side elevation of no 1. For this reason the closest window would be obscure glazed to a minimum of 1.7m from finished floor level. The remaining windows would have outlooks towards the cul de sac of Armstrong Close and nos 2-5 Armstrong Close where the separation distances between windows would be set further apart, with no direct harmful overlooking as a result of the dormer window . Finally impacts to properties to the south side of Charlesworth Drive from the front dormers and other alterations are considered limited and acceptable given the separation distances and the road between the properties.
- 7.12 Consequently, it is considered that the proposal will not 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).

(iv) Parking and access

- 7.13 A parking and access plan has been provided with this application which shows two parking spaces allocated towards the front of the site and one to the rear of the site following the demolition of the existing garage. Concerns have been raised relating to parking issues along Charlesworth Drive however this proposal would result in an increase in on site parking subsequently reducing pressure on surrounding on street parking. The proposal includes 3 bedrooms - the Havant Borough Parking SPD requires a 3 bedroom property to have 2 parking spaces on site and this meets these requirements. In addition, the bedroom number would not be increasing from existing, therefore there is no requirement for any increased parking allocation. The Highways Officer has been consulted in relation to the access and upholds no objection to the proposals.

(v) CIL

- 7.14 This application would include less than 100sq metres additional floorspace and is therefore not CIL liable.

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/21/00179 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

Proposed elevations Drawing 2 uploaded on the 01.06.2021

Proposed floor plans Drawing 3 uploaded on the 01.06.2021

Block plan Drawing 4 uploaded on the 01.06.2021

Proposed streetscene Drawing 5 uploaded on the 01.06.2021

Schedule of proposed materials uploaded on the 10.06.2021

Reason: To ensure provision of a satisfactory development.

- 3 The external materials used shall be as shown in the 'Schedule of proposed materials' uploaded on the 10.06.2021 unless otherwise agreed in writing with the local planning authority.

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 2015, prior to first occupation of the extension hereby permitted the window in the first floor rear dormer serving bedroom 1 on the rear elevation facing north and the first floor window serving the ensuite bathroom on the side elevation facing west shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and 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 car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the extensions hereby permitted being first brought into use and shall be retained thereafter for their intended purpose.

Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

APPENDIX C

Ms S Dugan
7 Kelsey Head
Port Solent
Portsmouth
PO6 4TA

**The Town and Country Planning (Development Management Procedure) (England)
Order 2015
Grant of Planning Permission**

Application Number: APP/21/00179

Site Address: 35 Charlesworth Drive, Waterloooville, PO7 6AX

Proposal: Single storey front extension; removal of existing conservatory & replace with single storey rear extension; loft conversion including raising of ridge height, front and rear dormers and hip to gable with cladding on gable ends; demolition of existing garage; render to elevations and fenestration alterations.

Further to your application received on 17 February 2021, which was valid from 04 March 2021 Havant Borough Council, as Local Planning Authority **Grants Planning Permission** for the above proposal in accordance with the submitted plans and particulars as detailed below.

This permission is subject to compliance with:

- (i) The plans and other documents submitted with regard to your application; and
- (ii) The following conditions:

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

Proposed elevations Drawing 2 uploaded on the 01.06.2021

Proposed floor plans Drawing 3 uploaded on the 01.06.2021

Block plan Drawing 4 uploaded on the 01.06.2021

Proposed streetscene Drawing 5 uploaded on the 01.06.2021

Our Ref: APP/21/00179

Reason: To ensure provision of a satisfactory development.

- 3 The external materials used shall be as shown in the 'Schedule of proposed materials' uploaded on the 10.06.2021 unless otherwise agreed in writing with the local planning authority.

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 2015, prior to first occupation of the extension hereby permitted the window in the first floor rear dormer serving bedroom 1 on the rear elevation facing north and the first floor window serving the ensuite bathroom on the side elevation facing west shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and 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 car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the extensions hereby permitted being first brought into use and shall be retained thereafter for their intended purpose.

Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Other Important Information:

- (1) This notice only relates to the decision of Havant Borough Council as Local Planning Authority under the Town and Country Planning Acts. It does not relate to any other application that may be required under the Building Regulations or under any other Act, Regulation, Byelaw or Order where the Council's approval may be needed. For further guidance as to the need for consent under the Building Regulations please phone 023 9244 6571.
- (2) Your attention is drawn to the attached information regarding firstly your right to appeal to the Planning Inspectorate, if you are aggrieved by the Council's decision, and secondly the rights of an owner to, in certain circumstances serve a purchase notice on the Council. See www.planningportal.gov.uk/pcs.
- (3) Any failure to adhere to the details of the approved plans, and other documents or to comply with any conditions listed above may lead to enforcement action being taken by the Council. If you wish to depart from the approved details or conditions in any way you should contact the Planning and Development service at the Plaza or by telephoning 023 9244 6015.

(4) In accordance with paragraphs 38-50 of the NPPF Havant Borough Council (HBC) takes a positive and proactive approach and works with applicants/agents on development proposals in a manner focused on solutions by:

- Offering a pre-application advice service, and
- Updating you of any issues that may arise in the processing of your application and where possible suggesting solutions, and,
- In this instance:
- You were updated about issues after the initial site visit,
- Your application was acceptable as submitted and no further assistance was required.

(5) The applicant is advised of the consultation response from 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.

To make an application visit southernwater.co.uk/developing and please read our New Connections

Services Charging Arrangements documents which are available on our website via the following

link southernwater.co.uk/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

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.

For Southern Water Planning Webpage please click the below link:

southernwater.co.uk/regulations-services/planning-your-development

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing,

West Sussex, BN13 3NX (Tel: 0330 303 0119).
Website: southernwater.co.uk or by email at:
SouthernWaterPlanning@southernwater.co.uk

Simon Jenkins

Simon Jenkins
Director of Regeneration and Place

16 July 2021

TOWN AND COUNTRY PLANNING ACT 1990

NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING AUTHORITY REFUSE PLANNING PERMISSION OR GRANT IT SUBJECT TO CONDITIONS

- These notes are for information only and do not purport to set out the law on the subject.
- Only the applicant possesses the right of appeal.

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice and you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse planning permission for a householder application and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse planning permission for a minor commercial application and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse express consent for the display of an advertisement and you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.
- If this is a decision to refuse consent to work on a tree which is subject to a Tree Preservation Order and you want to appeal against your local planning authority's decision then you must do so within 28 days of the date of this notice.
- If this is a decision to refuse any other type of application and you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- **Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.**
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry, then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

Our Ref: APP/21/00179

IMPORTANT NOTICE FOR APPLICANTS WITH REGARD TO BUILDING REGULATIONS

This notice only relates to the decision of Havant Borough Council under the Town and Country Planning Acts. It does not relate to any other application that may be required any other Act, Regulation, Byelaw or Order where the Council's approval may be needed.

For further guidance as the need for consent under the Building Regulations, please telephone Havant Borough Council's Building Control team on:

023 9244 6571

APPENDIX D

To:
Mr S Dugan
35 Charlesworth Drive
Waterlooville
PO7 6AX

**The Town and Country Planning (Development Management Procedure) (England)
Order 2015
Refusal of Planning Permission**

Application Number: APP/21/00825

Site Address: 35 Charlesworth Drive, Waterlooville, PO7 6AX

Proposal: Single storey front extension; removal of existing conservatory & replace with single storey rear extension; loft conversion including front and rear dormers and hip to gable roof with cladding on gable ends; removal of existing garage; render to elevations and fenestration alterations.

Further to your application received on 23 July 2021, which was valid from 13 August 2021, Havant Borough Council, as Local Planning Authority, **Refuses Planning Permission** for the above proposal.

The reason for the Council's decision to refuse planning permission is:

- 1 The proposed dormer roof extension by reason of its siting, design and scale, would appear an incongruous and prominent addition which would dominate the host dwelling, detrimental to the character of the locality and the visual amenities of the street scene. As such, the proposal is contrary to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the adopted Havant Borough Design Guide Supplementary Planning Document 2011.

In coming to its decision the Council considered plans and other documents submitted with regard to your application and the relevant policies of the Havant Borough Local Plan and other planning policy documents including the National Planning Policy Framework.

Other Important Information:

- (1) This notice only relates to the decision of Havant Borough Council as Local Planning Authority under the Town and Country Planning Acts. It does not relate to any other application that may be required under the Building Regulations or under any other Act, Regulation, Byelaw or Order where the Council's approval may be needed. For further guidance as to the need for consent under the Building Regulations please phone 023 9244 6571.
- (2) Your attention is drawn to the attached information regarding firstly your right to appeal to the Planning Inspectorate, if you are aggrieved by the Council's decision, and

Our Ref: APP/21/00825

secondly the rights of an owner to, in certain circumstances serve a purchase notice on the Council. See www.planningportal.gov.uk/pcs

- (3) In accordance with paragraphs 38-50 of the NPPF Havant Borough Council (HBC) takes a positive and proactive approach and works with applicants/agents on development proposals in a manner focused on solutions by:

- Offering a pre-application advice service, and
- Updating you of any issues that may arise in the processing of your application and where possible suggesting solutions, and,

In this instance:

- You were updated about issues after the initial site visit,
- Your application is considered unacceptable for the reasons set out in this Decision Notice.

Simon Jenkins

Simon Jenkins
Director of Regeneration and Place

23 September 2021

TOWN AND COUNTRY PLANNING ACT 1990

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If you intend to submit an appeal that you would like examined by inquiry, then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#).

Our Ref: APP/21/00825

IMPORTANT NOTICE FOR APPLICANTS WITH REGARD TO BUILDING REGULATIONS

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For further guidance as the need for consent under the Building Regulations, please telephone Havant Borough Council's Building Control team on:

023 9244 6571

APPENDIX E



APPENDIX F

HAVANT BOROUGH COUNCIL

TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)



APPEAL BY STACY DUGAN AGAINST THE CONDITIONS IMPOSED BY HAVANT BOROUGH COUNCIL UNDER APP/21/00719 FOR (A SINGLE STOREY FRONT EXTENSION ; REMOVAL OF EXISTING CONSERVATORY & REPLACE WITH SINGLE STOREY REAR EXTENSION ; LOFT CONVERSION INCLUDING RAISING OF RIDGE HEIGHT, FRONT AND REAR DORMERS AND HIP TO GABLE WITH CLADDING ON GABLE ENDS; DEMOLITION OF EXISTING GARAGE ; RENDER TO ELEVATIONS AND FENESTRATION ALTERATIONS AT 35 CHARLESWORTH DRIVE , WATERLOOVILLE PO7 6AX)

Planning Inspectorate Reference: APP/X1735/W/21/3285896

LPA REF: APP/21/00719

LIST OF SUGGESTED CONDITIONS

This proposal is for a single storey front extension, the removal of the existing conservatory to be replaced with single storey rear extension. A loft conversion is also proposed including raising of ridge height, front and rear dormers and hip to gable with cladding on gable ends; demolition of existing garage; render to elevations and fenestration

The application was subsequently approved on the 16.07.2021 following amendments from the initial submission with the following conditions imposed :

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

Proposed elevations Drawing 2 uploaded on the 01.06.2021

Proposed floor plans Drawing 3 uploaded on the 01.06.2021

Block plan Drawing 4 uploaded on the 01.06.2021

Proposed streetscene Drawing 5 uploaded on the 01.06.2021

Our Ref: APP/21/00179

Schedule of proposed materials uploaded on the 10.06.2021

Reason: To ensure provision of a satisfactory development.

3.The external materials used shall be as shown in the 'Schedule of proposed materials' uploaded on the 10.06.2021 unless otherwise agreed in writing with the local planning authority.

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 2015, prior to first occupation of the extension hereby permitted the window in the first floor rear dormer serving bedroom 1 on the rear elevation facing north and the first floor window serving the ensuite bathroom on the side elevation facing west shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and 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 car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the extensions hereby permitted being first brought into use and shall be retained thereafter for their intended purpose.

Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.