

Recommendation: **GRANT PERMISSION**

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

DM13 (Car and Cycle Parking on Residential Development)

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

E1* (High quality design)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Councillor A Briggs - Cowplain

No comments received.

Councillor D Keast - Cowplain

No comments received.

Councillor Narinder Bains - Cowplain

No comments received.

Developer Services, Southern Water

Southern Water has no objections to proposed rear extension.

Please find the attached extract from Southern Water records showing the approximate position of public foul and surface water sewers within the development. Any new external works proposed within the standoff distance of public apparatus the applicant will be required to contact Southern Water. 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 Water requires a formal application for any new connection to the public foul sewer to be made by the applicant or developer. To make an application visit Southern Water's Get Connected service: 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

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

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:

Southern Gas Network

No comments received.

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: 7

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
Boundary shown does not reflect the true size of the garden.	Certificate B and D served.
The documentation also has an error with the details at the front of the property. It includes the shared access rights as being owned by number 28, however as with numbers 24, 26 and 30, the boundary runs in front of the properties only, therefore the actual size of the plot is smaller.	Site plan needs to show access up to the public highway.
For the work to be carried out, would access to neighbouring properties (numbers 24, 26, 28, 30 and 32) still be accessible, including clear access to the rear of the properties for numbers 24, 26 and 28.	Private access is a civil matter and not a material planning consideration.

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) Highways safety and parking
- (v) Other matters

(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 proposed dormer and conservatory would be located to the rear of the host dwelling and would not be visible from the public highway. Tall trees and a main trunk road are set to the rear of the site, obscuring any public views. No visual impact would

result to the existing character of the streetscene.

- 7.4 The dormer is proposed to run across the rear roof plane and connect with a replicate roof dormer also proposed for the neighbouring property at No. 28 Edgefield Grove (assessed under a separate application APP/21/01036). The proposed rear dormer has undergone revisions from its first iteration, with a greater setback provided from the eaves of the main roof to reduce the overall roof bulk. The materials proposed for the dormer would match the brick on the existing dwelling. No visual amenity concerns are raised regarding the proposed dormer.
- 7.5 The proposed replacement flat roof for the existing single storey extension raises no visual amenity concerns. The addition of the rear proposed conservatory would increase the site coverage within the rear private amenity space and reduce the percentage of the garden open to the sky.
- 7.6 Rear extensions should maintain a minimum distance of 8 metres from the extension and rear boundary wall, in accordance with 5.41 of the Havant Borough Design Guide 2011. The addition of the conservatory would leave only 5.0m of garden from the rear boundary. However, the proposed conservatory would have a garden type amenity use and an open garden area of approximately 35 square metres would be retained.
- 7.7 It was noted that the rear garden extends back further into the highways embankment than the residential curtilage boundary shown on the location and site plans. The serving of relevant notices for the part of land not in ownership of the applicant is discussed in the 'Other matters' section below.
- 7.8 The design and appearance of the proposed development is deemed appropriate in context to the main dwelling and is therefore considered to be acceptable, meeting the requirements of Policy CS16 of the HBLP (Core Strategy 2011). 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 Both the rear side boundaries of the subject site are treated with 1.8m high close-boarded fencing. The proposed dormer, replacement roof and proposed conservatory are of a minor scale and would not impact upon the existing levels of residential amenity enjoyed by the adjoining neighbouring occupiers at No. 28, nor to the north at 29 Cornbrook Grove.
- 7.10 Consequently, it is considered that the proposal would 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 2011).

(iv) Highways safety and parking

- 7.11 The existing dwelling is a three-bedroomed property which has a requirement for a minimum of two parking spaces within Havant's Car Parking SPD 2016. The proposed development would result in a four bedroomed dwelling, which increases the parking provision required to a minimum of three onsite parking spaces in accordance with the Parking SPD.
- 7.12 The application proposes to retain the two allocated parking spaces located forward of the dwelling, however it is acknowledged that there would be a shortfall of one parking space as required under the SPD.
- 7.13 Nevertheless, the National Planning Policy Framework (NPPF) 2021, Paragraph 111. states that '*development should only be prevented or refused on transport grounds*

where the residual cumulative impacts on the road network would be severe’.

- 7.14 Very limited parking is available within Edgefield Grove itself, although additional parking may be available in the surrounding streets. Notwithstanding this, the parking shortfall for the site cannot be concluded to result in a ‘severe highways impact’ and therefore no concerns would be raised with the resulting shortfall of one on-site parking space.

(v) Other matters

- 7.15 After the submission of the application and initial assessment, it became apparent that part of the land to the rear of the site which runs into the highway embankment was declared ‘in ownership’ of the applicant, when actually legal ownership of this land remains with the developers of the site who have since gone into liquidation.
- 7.16 Therefore, in addition to ownership Certificate B being served, Certificate D was also served and notice of the application was published in the Hampshire Chronicle on the 10 December 2021. No enquires were made within the 21-day notification period. However concerns were raised from neighbouring properties that the amended site plan, showing the extended site area, was not based on a lawful use. Following this matter being raised, the Local Planning Authority requested evidence of the time period that this additional area of land had been with a residential curtilage, as no definitive evidence was presented at this time. As the development proposed does not rely on this area of land, it was requested that the application site plan was amended to show the lawful position. The matters regarding the extended residential curtilage have been passed to the enforcement team to investigate.

8 Conclusion

- 8.1 The scale, siting and design of the works 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/21/00967, 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 Drw. No. MPMBW-0074796 - received 21 Sept 2021
Site Layout Plan Drw. No. 5681/500 REV C - received 26 Jan 2022
Existing Ground Floor Plan Drw. No. 5681/1 - received 15 Sept 2021
Existing First Floor Plan Drw. No. 5681/2 - received 15 Sept 2021
Existing Elevations Drw. No. 5681/3 - received 15 Sept 2021
Proposed Ground Floor Plan Drw. No. 5681/4 REV A - received 15 Sept 2021

Proposed First Floor and Second Floor Plans Drw. No. 5681/5 REV C - received 02 Dec 2021
Proposed Elevations Drw. No. 5681/6 REV B - received 02 Dec 2021
Dormer Cross Section Drw. No. 5681/7 REV A - received 02 Dec 2021

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.