

DELEGATED OFFICER REPORT

Site Address: 12 St James Road, Emsworth, PO10 7DN
Proposal: Single storey rear annexe to replace existing log cabin.
Application Type: Full Planning Permission
Application No: APP/24/00796 Expiry Date: 12/12/2024
Applicant: Mr Burden
Agent: Ms Mackay Case Officer: Robert Riley
Ward: Emsworth

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site comprises of a 2-storey dwellinghouse located in Emsworth. The dwelling features brickwork and tilework for its external walls and features a gable pitch designed roof. The dwelling features a garden to the rear, which features a outbuilding (log cabin) at present. Parking is provided to the front of the dwelling on a driveway.
- 1.2 The application site is in an area that could be considered both urban and residential, with the character of the street featuring mainly 2-storey dwellings with brickwork designs in evidence.

2 Planning History

99/64528/000 - Single storey rear/side extension, PERM,30/09/1999
APP/21/00611 - Demolition of conservatory and erection of a single storey rear extension., PERM,04/08/2021

3 Proposal

- 3.1 Single storey rear annex to replace existing log cabin.

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)
DM13 (Car and Cycle Parking on Residential Development)
DM8 (Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)

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 Charles Robert

No comments received

Councillor Grainne Rason

No comments received

Councillor Reuben Mychaleckyj

No comments received

Developer Services, Southern Water

Our investigations indicate that Southern Water can facilitate foul sewerage run off disposal to service the proposed development. Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer.

To make an application visit Southern Water's Get Connected service:

<https://developerservices.southernwater.co.uk> and please read our New Connections Charging Arrangements documents which are available on our website via the following link:

<https://www.southernwater.co.uk/developing-building/connection-charging-arrangements>

We request that should this planning application receive planning approval, the following informative is attached to the consent: Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to, and approved in writing by the Local Planning Authority in consultation with Southern Water.

"The supporting documents make reference to drainage using Sustainable Drainage Systems (SuDS).

Under certain circumstances SuDS will be adopted by Southern Water should this be requested by the developer. Where SuDS form part of a continuous sewer system, and are not an isolated end of pipe SuDS component, adoption will be considered if such systems comply with the latest Design and Construction Guidance (Appendix C) and CIRIA guidance available here:

<https://www.water.org.uk/sewerage-sector-guidance-approved-documents/>

<https://www.ciria.org/ItemDetail?iProductCode=C753F&Category=FREEPUBS>

Where SuDS rely upon facilities which are not adoptable by sewerage undertakers the applicant will need to ensure that arrangements exist for the long-term maintenance of the SuDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Thus, where a SuDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation of the SuDS scheme.
- Specify a timetable for implementation.
- Provide a management and maintenance plan for the lifetime of the development.

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

This initial assessment does not prejudice any future assessment or commit to any adoption agreements under Section 104 of the Water Industry Act 1991. Please note that non-compliance with the Design and Construction Guidance will preclude future adoption of the foul and surface water sewerage network on site. The design of drainage should ensure that no groundwater or land drainage is to enter public sewers.

Southern Gas Network

No comments received

HBIC

Within 100m: Notable and Protected Species: Common Pipistrelle, Reed Bunting, Silver Washed Fritillary, Cinnibar, Narrow-Leaved Water-Plantain, Stag Beetle

Within 100m: Moving Water

Within 100m Road Verge of ecological importance: U609 Bridge Road

Within 100m: SINC: Westbrook Stream, Bridge Road

Within 2km: SAC: Solent Maritime

Within 2km: SPA, RAMSAR: Chichester and Langstone Harbour.

Officer comment: The works would be relatively modest and at ground floor level, in light of this, unacceptable impacts upon ecology are considered unlikely.

Building Control

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: 12

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) Use of the annex
- (v) Cil
- (vi) Biodiversity Net Gain (BNG)
- (vii) Ecology
- (viii) Parking

(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 annex would be relatively contemporary in design, being flat roofed and consisting of EPDM and for its external walls; timber frame with PIR insulation. The left, right and rear walls would be clad with corrugated galvanised steel vertical sheets, the front elevation would be clad with Western Red Cedar vertical TGV cladding. With an approximate 4 metre depth x an approximate 7.5 metre width x an approximate height of 3m, the footprint of the annex would be modest in scale and proportionate to the main dwelling and would be smaller than the existing log cabin.

7.4 Being to the rear of the dwelling, the development would not be visible from the street, and its impact on visual amenities is considered acceptable. The garden size can readily accommodate a building of this scale without becoming over-development.

7.5 The design and appearance of the proposal is deemed appropriate as a detached ancillary structure in a private residential garden, and is therefore considered to be acceptable, meeting the requirements of Policy CS16 of the HBLP (Core Strategy) and ENP_D1 of the Emsworth Neighbourhood Plan. 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

- 7.6 Regarding overlooking concerns, the annex would feature 2 side windows one serving a shower room on the northern (side) elevation and one serving the southern (side) elevation, these will be conditioned to be opaque and openable only at 1.7 metres or above, and in light of this, their impacts are considered acceptable. There would be front fenestration, however, this would face No.12 and the front fenestration's impact is considered acceptable.
- 7.7 Regarding overshadowing and overbearing concerns, with regards to properties to the north of the application site, the annex, would be approximately 1.2 metres from the northern boundary of the application site, in light of the proposed modest depth and proposed modest height of the proposed annex, officers consider that properties to the north of the application site would not be unacceptably impacted by the annex.
- 7.8 Regarding overshadowing and overbearing concerns, with regards to properties to the east of the application site it is noted that it would be in close proximity to the rear boundary of the application site, but in consideration of its modest proposed height of approximately 3 metres it is not considered to have an unacceptable impact regarding overbearing and overshadowing impacts, to properties to the rear. Furthermore, the proposed annex, would be smaller in footprint than the existing log cabin of which would be replaced by this annex.
- 7.9 Regarding overshadowing and overbearing concerns, with regards to No.14 St James Road to the south of the application site it is noted that the annex would primarily impact upon No.14's outbuilding and in light of its proposed modest depth and height is considered to have a limited and acceptable impact on No.14's rear garden space.
- 7.10 Consequently, it is considered that the proposal would 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 2011) and ENP_D1 of the Emsworth Neighbourhood Plan. It is noted no letters of objection were received with respect to the scheme.

(iv) Use of the annex

- 7.11 The use of the proposed annex has been stated to be used "*solely by the client's family who will share facilities with the main house, and will not be occupied independently, sold separately, or used for paying guests*". The application's documents confirmed the family link between the occupants of the main house and the proposed annex being proposed to be used as an additional living space for family members. On this basis the proposal would be considered ancillary to the main use of the site.
- 7.12 With regards to the proposed room uses of the annex. Within the 25sqm useable space of the annex, there would be a shower room, hot water storage and an open plan bedroom/sitting room/kitchen. The annex would therefore still rely on the host building as there is shown to be no laundry facilities within the annex, and that the annex is stated that "*The house and annexe will share services, access, parking, and gardens. Water and electrical connections will run from the dwelling's supply*" therefore making room use ancillary to the main house.

7.13 Furthermore, the annex would be able to be accessed via, and located within the shared garden of the main dwellinghouse and thus is deemed to have a physical close functional link to the house. A condition regarding the use of the annex to remain ancillary to the main dwellinghouse has been recommended if permission is forthcoming.

(v) Cil

7.14 The works are CIL liable but the applicant has submitted an application for self build annex relief. The works would have CIL liability of £4,252.23. The Draft Liability Notice has been sent to the agent.

(vi) Biodiversity Net Gain (BNG)

7.15 It is noted that this householder application is exempt from the requirements relating to Biodiversity Net Gain.

(vii) Ecology

7.16 The application site has been located to be;

- Within 100m of the following Notable and Protected Species: Common Pipistrelle, Reed Bunting, Silver Washed Fritillary, Cinnibar, Narrow-Leaved Water-Plantain, Stag Beetle
- Within 100m of Moving Water
- Within 100m of a Road Verge of ecological importance: U609 Bridge Road
- Within 100m of a SINC: Westbrook Stream, Bridge Road
- Within 2km of a SAC: Solent Maritime
- Within 2km of a SPA, RAMSAR: Chichester and Langstone Harbour.

7.17 In consideration that the works would be relatively modest and at ground floor level, in light of this, unacceptable impacts upon ecology are considered unlikely and consider that this proposal accords with Policy DM8 of the Havant Borough Local Plan (Core Strategy 2011) and consider it acceptable in this regard.

(viii) Parking

7.18 This application, proposes an annex in the rear garden of the application site. This application site at present features a 3 bedroom dwellinghouse which would increase to feature a 4 bedroom occupancy on site. This requires 3 parking spaces to conform to the Havant Parking SPD's requirements. The available parking space to the front of the dwelling has been shown on a parking plan to meet the spatial SPD's requirements for 3 cars. However, officers note that this parking plan would represent parking that would be hard to manoeuvre into. Officers also note, that parking in this locality, close to Emsworth district centre is reasonably constrained.

- 7.19 Officers do however, note that as of the site visit to the application site, the dwelling could feasibly fit 3 cars on the front drive of the application site in a tight parking situation, albeit likely in a different layout to that shown on the submitted plans. It is also acknowledged that the site is in a sustainable location, close to Emsworth district centre which features bus routes to neighbouring areas, providing an alternative to using a car. Officers also note that paragraph 116 of the NPPF (2024) states "*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.*".
- 7.20 Whilst officers have acknowledged the proposal would not entirely accord with the Council's Parking SPD and therefore Policy DM13 of the Havant Borough Local Plan (Core Strategy 2011), (though would feasibly fit 3 cars in a tight parking situation), which would be noted to be a negative impact upon the road network, officers are not of the opinion, that it would be a severe impact that would warrant the refusal of this application. On balance, officers consider that the impact would not be severe and would therefore accord with the NPPF (2024).

8 **Conclusion**

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

9 **RECOMMENDATION:**

That the Head of Place be authorised to **GRANT PERMISSION** for application APP/24/00796 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:

BLOCK PLAN: Uploaded 11/10/24
DESIGN AND ACCESS STATEMENT: Uploaded 11/10/24
EXISTING FRONT WEST SIDE ELEVATION PLAN: Uploaded 11/10/24
EXISTING LEFT NORTH SIDE ELEVATION PLAN: Uploaded 11/10/24
EXISTING REAR EAST SIDE ELEVATION PLAN: Uploaded 11/10/24
EXISTING RIGHT SOUTH SIDE ELEVATION PLAN: Uploaded 11/10/24
FRONT WEST SIDE ELEVATION PLAN: Uploaded 11/10/24
GROUND FLOOR PLAN: Uploaded 11/10/24
EXISTING GROUND FLOOR PLAN: Uploaded 17/10/24

LEFT - NORTH SIDE ELEVATION PLAN: Uploaded 11/10/24
RIGHT - SOUTH SIDE ELEVATION PLAN: Uploaded 11/10/24
LOCATION PLAN: Uploaded 11/10/24
REAR - EAST SIDE ELEVATION PLAN: Uploaded 11/10/24

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 The accommodation hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of the existing dwelling and shall not be used as a separate unit of accommodation.

Reason: The unit of accommodation is not a satisfactory position and has insufficient on-site parking to be occupied separately from the main dwelling and having due regard to policies CS16 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, hereby permitted the window serving a shower room on the northern (side) elevation, and the window serving an open plan bedroom/ sitting room/ kitchenette on the southern (side) 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 only be openable above 1.7 metres above finished floor level 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.