
Site Address:	54 Stakes Road, Waterloooville, PO7 5NT		
Proposal:	Retention of annexe including new single storey rear extension.		
Application Type:	Full Planning Permission		
Application No:	APP/21/01430	Expiry Date:	15/02/2022
Applicant:	Mr Garland		
Agent:	Mr Bennett	Case Officer:	Graham Speller
	Kalotec Limited		
Ward:	Purbrook		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The site is located on the southern side of Stakes Road and comprises a detached two storey dwellinghouse having previously been a bungalow that was remodelled. To the rear are outbuildings, one of which is a detached garage and the other a detached annex, having been approved as a garage/store, and is the subject of this application.
- 1.2 To the rear of the site beyond the boundary are mature trees with a group tree preservation order.
- 1.3 The surrounding area is residential in character with an eclectic mix of dwellinghouse styles and design.

2 Planning History

APP/18/01179 - Remodelling of property to include rear extension, with new raised roof structure to entire dwelling to provide first floor accommodation, new render and weatherboarding; erection of detached double garage. (28.01.19). Request to discharge condition No2. (14.03.19)., PERM,28/01/2019

APP/21/01132 - Application for Certificate of Lawfulness relating to proposed extension to existing annex., REF,24/11/2021

3 Proposal

- 3.1 Retention of annexe including new single storey rear extension.
- 3.2 The description has been changed during the course of consideration of the application in order to regularise the annex use and full neighbour reconsultation was carried out. A further revised roof plan was provided showing an existing rooflight in the western roof slope. As this rooflight was clearly shown on the elevation drawings it was not considered necessary to specifically reconsult on this revised roof plan.
- 3.3 The applicant's agent has confirmed that the use of the annex is solely by the owners/occupiers of No.54 Stakes Road and that it is ancillary use to the main dwellinghouse.
- 3.4 The applicant's agent also provided a tree protection plan due to the TPO trees to the

land to the rear of the site following the comments of the tree officer. Reconsultation of the tree protection plan was not considered necessary.

4 Policy Considerations

National Planning Policy Framework 2021
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS13	(Green Infrastructure)
CS16	(High Quality Design)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)
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)

Listed Building Grade: Not applicable.
Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist, Havant Borough Council

No objection however a Tree Protection Plan should be supplied to ensure there is no encroachment into the root protection areas of the trees to the rear. This could be conditioned.

Councillor Gary Hughes

No comments received.

Councillor Husky Patel

No comments received.

Councillor Ms C Howard - Purbrook Ward

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: 14

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 2

Two letters of objection from same property raising the following concerns:

- The application originally submitted was for a 4 bed house with a garage/workshop and made no comment on the application
- Garage was built to be lived in
- Layout of building was not passed by planning and therefore contravenes the original planning application
- Height of the roof is extreme
- Current plans to retain as an annex are misleading
- First floor is described as storage space but is a bedroom
- Initial planning was for a double garage
- Building was never built as a garage but built with a kitchen and ground floor room with bedroom on first floor and velux window
- Question the need for such a building in the grounds and foresee the building becoming a separate home and not a garden room
- Concern to Stakes Road highway traffic and permitting another property
- Trees with TPOs within close proximity
- Agreed to a garage being built not an annex
- Did not agree for roof height to be in excess of building regulations
- Did not agree to velux overlooking property and was not in previous application
- No need for a garden room with another toilet to be added
- Annex was built without planning permission and would have objected being so close to boundary
- Boundary line needs full measurement
- Driveway to garage was never installed and runs along No.56 garden
- Current view/excessive height of the roof/gable is not appealing from dining room
- Request that the building be returned as a garage as believe it does not fulfil planning requirements for an annex
- The placement of this building has a detrimental effect on our property and its value
- With added noise from a two bedroom annex this is not an acceptable development
- An overbearing building height with an intrusive appearance from the outlook of our garden and windows
- Do not want to lose privacy or house devalued

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) Background
- (iii) Appropriateness of design and impact on the character of the area
- (iv) Effect on neighbouring properties
- (v) Impact on trees
- (vi) Parking
- (vii) CIL
- (viii) 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) Background

- 7.3 As noted above, the description of the proposed development has been amended during the course of the consideration of the application in order to regularise the current use of the outbuilding as an annex. The detached outbuilding, the subject of this application, was originally approved under permission APP/18/01179 as a garage and workshop, however, at some point, it was converted to become an annex. Initially, the applicant's agent did not accept that such a use required planning permission and that the garage building had the benefit of planning permission. Whilst it is acknowledged that the building itself does have the benefit of planning permission and that there were no specific conditions restricting its use to a garage/workshop, nonetheless, the applicant's agent was advised that such a use as an annex did require specific planning permission, along with the proposed extension. This report considers all aspects as set out in the revised description.
- 7.4 The outbuilding itself is the same dimensionally as the original permission. However, as noted above, the building has been converted at some point into an annex. There is conflicting evidence to establish whether the building was constructed as a garage and then converted into an annex. However, the applicant's agent has advised that the garage was completed and used for storage whilst the works on the main house were taking place and that the garage was completed in August 2021 and used for storage up until October 2021 before conversion to the annex. The application is in any case being assessed on its planning merits.

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

- 7.5 As noted above, other than fenestration changes, the building is the same dimensionally as approved under application APP/18/01179. As there were no specific conditions restricting the use of the building to the parking of vehicles and workshop only, then alternative uses could be carried out and not require planning permission, including the insertion of an additional floor.
- 7.6 The proposals are for the retention of the annex use and also including new single storey rear extension to the building. The building is sited towards the end of the rear garden and adjacent to a neighbouring garage. It is considered that the proposed extension to the building would not result in any adverse impact on the character of the area.
- 7.7 A representation has been received, which, among other things, question the need for such a building in the grounds and foresee the building becoming a separate home and not a garden room. The applicant's agent has confirmed that the outbuilding is being used as an ancillary annex, however, in order to prevent it from becoming a separate residential unit in the future a suitable planning condition is recommended.
- 7.8 As such, it is considered that the design and appearance of the proposal, and the use of the building as an annex, 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.

(iv) Effect on neighbouring properties

- 7.9 The proposal has attracted representations raising objection; in particular, to the use of the outbuilding as an annex and the rationale for the Council allowing this to happen. However, the Council did not approve the outbuilding to be used as an annex and this current revised application seeks to regularise the position, in addition to the consideration of the extension to the building. Notwithstanding, it is considered that the use of the building as an annex is acceptable in terms of its impact on the amenity of neighbouring properties and that the possible additional noise and activity generated from an annex within the rear garden would be minimal.
- 7.10 As noted above, the building is sited adjacent to a neighbouring garage and the building itself as existing was considered acceptable under application APP/18/01179 in terms of impact on neighbouring amenity. The proposals now include an extension to the building, and it is considered that the extension would not result in any adverse impact on neighbouring amenity by reason of overbearing or overlooking. However, the flat roof of the extension could potentially be used as a 'roof garden/balcony' in the future which would result in adverse overlooking of the neighbouring property. As such, a suitable planning condition is recommended restricting the use of the roof of the extension.
- 7.11 Representations have been received that the first floor is a bedroom, however, the submitted plans show this as 'loft space/storage'. At some point a rooflight was inserted in the western roofslope that was not part of the original proposals for the garage building, however, there were no conditions restricting the insertion of additional windows to the building and the rooflight looks out towards the roof of the adjacent garage building. Whilst the space could be used for other purposes, it is considered that there would be no adverse overlooking or loss of privacy to neighbouring 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 meeting the requirements of Policy CS16 of the HBLP (Core Strategy).

(v) Impact on trees

- 7.13 As noted above, there are protected trees on the land to the rear of the site and whilst the tree officer raises no objection comments that a Tree Protection Plan should be supplied to ensure there is no encroachment into the root protection areas of the trees to the rear. The tree officer also comments that this could be conditioned. The applicant's agent has provided an updated tree protection plan which shows the proposed extension to the outbuilding and an arboricultural method statement.

(vi) Parking

- 7.14 Whilst the annex use of the building has reduced parking provision, there is ample parking provision within the site.

(vii) CIL

- 7.15 As a detached annex, the floor space of the building and proposed extension is CIL liable. The necessary forms have been completed and annex relief has been claimed and acknowledged by the Council.

(viii) Other matters

- 7.16 As the building has already been constructed and altered to become an annex, whilst the proposals include an additional single storey extension to the building, as 'development' has already commenced, it is not necessary to impose a time period condition for implementation.

8 Conclusion

- 8.1 The retention of the annex use, including the scale, siting and design of the proposed extension, would have limited and acceptable impact on the neighbours and the character of the area 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/21/01430 subject to the following conditions:

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

KALO-0201-101 REV B - AMENDED - EXISTING FLOOR, ROOF & LOCATION PLANS

KALO-0201-103 REV C - AMENDED - PROPOSED FLOOR, ROOF & SITE PLANS

KALO-0201-104 REV A - PROPOSED ELEVATIONS

KALO-0201-05 – EXTENSION TO ANNEX - TREE PROTECTION PLAN & ARBORICULTURAL METHOD STATEMENT

Reason: - To ensure provision of a satisfactory development.

- 2 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.

- 3 The annex accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of the existing dwelling

and shall not be used as a separate independent unit of accommodation.

Reason: The unit of accommodation is in an inappropriate location and has insufficient internal and amenity space to be occupied separately from the main dwelling and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 The development must be undertaken in accordance with drawing number KALO-201-05 tree protection plan and arboricultural method statement.

Reason: To protect the conservation and enhancement of existing natural features and having due regard to policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 The roof to the extension hereby permitted shall not at any time be altered or adapted to form a balcony, roof garden or similar amenity area without the grant of a further specific permission from the Borough Council.

Reason: To prevent undue loss of privacy to adjacent properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2021.