

Recommendation: **GRANT PERMISSION**

DM8 (Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014
AL1 (Presumption in Favour of Sustainable Development)

Submission Version Havant Local Plan
H6* (Residential annexes)

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

5 Statutory and Non Statutory Consultations

Arboriculturalist

The applicant is encouraged to keep the tree and ensure that it is adequately protected during development so as to maintain canopy cover in the area.

Councillor Clare Satchwell - Hayling East

No comment

Councillor I Scott Hayling West

No comment

Councillor Joanne Thomas

No comment

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 40

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 3

Comment	Officer Comment
The following conditions form the basis of this objection and when addressed the objection will be withdrawn. 1. Parking spaces The turning space available for the three houses is owned and the responsibility of the residents of 384B and must be kept free of parked vehicles at all times to preserve access to all three properties and ensure emergency vehicles can approach. It must not be used for parking vehicles; particularly overnight unless agreed in advance with neighbours. Ref: HM Land registry ref number HP 563162. The proposal to 384C, extending the property to a six bedroom home, needs to include parking spaces that are consistent with this increase in bedrooms based on full occupancy with spaces for visitors. These should be adequate to ensure that parked vehicles do not impinge on the communal turning circle for the three properties. This is not made clear in the plans; how spaces that are presently used for parking will be defined after the build to ensure adequate parking is provided. The planning conditions must include a caveat stating that any damage caused by and during the building construction must be made good by the owners of 384C in discussion with the owners of the turning circle, the residents of 384B. 2. Pre-commencement of the build Neighbours must be notified in advance and in writing of any access restrictions caused through the building work, or restrictions caused by trade vehicles. 3. Building permission should be subject to: A schedule of work being shared with the neighbours to include the start date of building work and the estimated completion date. Neighbours should be consulted if there are any changes to the schedule that impact the completion	There is existing allocation for parking on site to meet Havant Parking Standards as outlined in the Havant Parking SPD and discussed in the 'Planning Considerations' section of the report. Please see above and below. It is acknowledged that construction activity can cause disruption to adjoining properties, however this is not a material planning consideration. Any blocking of accesses would be a civil matter between the parties involved; any undue noise and disturbance would be a matter controlled under separate Environmental Health legislation. Informatives are proposed to highlight key Environmental Health issues. Please see above .

date. Building work restricted from Monday to Friday from 08.00 - 17.00. No work to be carried out at weekends or bank holidays. Consideration given to neighbours to keep noise to a minimum - use of radios, shouting and building work noise. This is to minimise stress to neighbours, so they can use their gardens and work at home without too much noise pollution.	Please see above. Please see above.
Qualified objection, but withdrawn if the following issues are formally addressed as conditions of any planning permission 1. Plans and any permissions should require adequate provision for parking on site on the grounds of 384c Sea Front, commensurate with a 6 bedroom house (for example, minimum of 5 parking spaces explicitly identified in the plans), without encroaching on the common areas with rights of way which provide a turning circle and access for residents at 384a, 384b, and 384c, and for larger for delivery vehicles and emergency vehicles servicing 384a, 384b and 384c. The plans as presented make no reference whatsoever in text or pictorially as to parking arrangements for 384c. This should be specifically addressed in the application. 2. Permission should be subject to minimising noise (both building noise and music/radio externally) , dust and other impacts of the building process; and should avoid obstruction and restrictions of access to neighbouring properties during the build process, to include contractors and delivery vehicles which should not obstruct access and movement to and from neighbouring properties. 3. Permission should explicitly confine building to the hours of 0800 and 1700, excluding weekends and bank holidays, to minimise the disturbance to	Please refer to comments above and to the 'Parking' section of the report. It is acknowledged that construction activity can cause disruption to adjoining properties, however this is not a material planning consideration. Any blocking of accesses would be a civil matter between the parties involved; any undue noise and disturbance would be a matter controlled under separate Environmental Health legislation. Informatives are proposed to highlight key Environmental Health issues. Please see above.

neighbours of the enjoyment of their homes and properties. Start date should be notified sufficiently well in advance so neighbours can be prepared for any disturbance	
4. Neighbours should be notified in advance of deliveries or any potential disruption to access, which should be mitigated. Any mitigation plans should be declared in writing as part of the application and be a condition of any grant of planning permission.	Please see above.
5. Explicitly in the planning conditions should be a requirement to make good any damage caused by the building process and delivery vehicles to the roadway	This is a civil matter.
[redacted comment]	No comment

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) Trees
- (v) Parking
- (vi) 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.

Policy H6 in the emerging Local Plan, to which limited weight can be given, sets out the following criteria for self contained annexes or extensions relating to mainstream housing:

- a. The annexe has a functional connection with the host dwelling;*
- b. The annexe is, and will remain, ancillary to the host dwelling;*
- c. Sufficient private amenity space remains to serve both the host dwelling and the annexe following the development;*
- d. There is no boundary demarcation or sub-division of curtilage areas between the host dwelling and annex.*

Annexes must also meet the following criteria :

To retain a functional connection with the dwelling, the occupants of the host dwelling and the annexe must still be a single-family unit and share communal facilities (such as the kitchen). If there are individual circumstances of the person(s) for whom the annex is proposed, this will also be a material consideration. This proposal would share overnight accommodation with the main dwelling.

To ensure the accommodation remains ancillary to the host dwelling, the Council will apply appropriate conditions to prevent the creation of a separate dwelling or its use for other purposes. In some instances, a legal undertaking to secure this may be more appropriate. The annexe must be subservient in scale to the host dwelling. This proposal is judged to be subservient in scale and shall be conditioned in order to control use.

Planning applications for annexes will be considered in line with the policy, as well as design and other policy requirements (E1, E3 and IN3). It is expected that the accommodation will provide a good standard of living for occupants of both the annexe and the existing dwelling. Annexes should share a common access with the main dwelling and not create any demarcation or subdivision of private amenity space to demonstrate that it is ancillary to the existing dwelling

- 7.3 The proposed annexe would be used by the elderly parent of the occupiers of the main property and would comprise of a bedroom with wet room , kitchen and living/dining area. The annexe is proposed to be ancillary although it does contain its own facilities with a physical connection to the main home and internal linkage in the form of doorways through into the main house. As the extension works which would create the annexe retain some continuance with the main property in its design , it is considered that the use of the extension as an annexe would be acceptable subject to a condition controlling its use.

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

- 7.4 This proposal comprises a ground floor side and rear extension to allow for a garage and annexe as well as other internal reconfigurations. The extension would have a width of approximately 3.5 metres with a pitched roof with a ridge height of approximately 5.9 metres . The depth would match that of the rear wall of the existing study and kitchen and an infill extension would fill the space to the rear of the existing double garage. This would have a monopitched roof. The main bulk of the extension would create the garage which would feature a garage door to the front and door to the rear leading into the garden. The extension to the west would create a wet room with a rear window and would allow for the existing garage to be converted into the annexe bedroom with the current garage door replaced by a front elevation window. The final garage door to the front would also be altered to a window as the remaining garage would be altered to form a study and the current study and utility room would create the kitchen/diner to the rear serving the annexe with an additional window to the west elevation and the current rear door altered to create a double door. The extension would feature a dormer window to the east elevation , matching the existing pitched roof dormers . This would be for decorative purposes as the extension would not create any additional living space at first floor level.

- 7.5 The proposed extensions would not be widely visible from the public realm due to the siting of the property to the rear of the properties located alongside the Sea Front road. Whilst there would be some visibility from the private driveway and adjacent properties, the extension is not deemed to be harmful in appearance, with the additional footprint remaining relatively modest in scale when considered within the context of the plot and existing dwelling.
- 7.6 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

- 7.7 To the east of the application site is no 384b Sea Front . The proposed extension would be sited on the other side of the property and therefore impact on amenity is not deemed to be significant.
- 7.8 To the south of the application site is Channel House .There would be no additional side windows on the south elevation and a set off distance of approximately 4.5 metres would be retained towards the south and there is screening from foliage alongside this boundary. Impact on this property is not deemed to be harmful.
- 7.9 To the west of the application site is the rear of no 388 Sea Front where there are garages and a car parking area . The proposal is not deemed to impact this property.
- 7.10 To the north of the application site is no 34 St Helens Road. The extension would be located away from no 34 and would not result in any harm to amenity.
- 7.11 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). It is noted that representations have been received, raising concerns about the potential noise and disturbance that may be caused to neighbouring properties as a result of the development. It is acknowledged that construction activity can cause disruption to adjoining properties, however this is not a material planning consideration. Any blocking of accesses would be a civil matter between the parties involved; any undue noise and disturbance would be a matter controlled under separate Environmental Health legislation. Informatives are proposed to highlight key Environmental Health issues.

(iv) Trees

- 7.12 There are trees located along the south and west boundaries of the site and this includes a young oak tree. The Council's Arboricultural Officer has been consulted in regards to the oak tree and has stated that whilst the oak tree is not of TPO criteria it should be protected throughout any construction in order to retain the existing tree canopy.

(v) Parking

- 7.13 The proposed annexe would create 1 additional bedroom , resulting in a total of 6 bedrooms . The Havant Parking SPD states that 3 parking spaces must be provided on site for any property of 4 bedrooms or more. Whilst a parking plan has not been supplied with this application , the proposal includes a garage with parking space for 2 vehicles as well as space towards the front and side of the site. The 3 parking spaces requirement can therefore be met on site.

(vi) CIL

- 7.14 As the proposed annexe would be attached to the host dwelling and would not contain over 100m2 of additional floorspace this would not be 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/21/00092 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:

A1051 Amended proposed elevations
A106 REV B Location and block plan
A1021 Proposed ground and first floor

Reason: To ensure provision of a satisfactory development.

- 3 The external materials used shall match, in type, colour and texture, those of the existing building so far as practicable.

Reason: In the interests of the amenities of the area and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 The 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 unit of accommodation.

Reason : The unit of accommodation would lack adequate garden and internal amenity space resulting in an unsatisfactory form of development which would not accord with Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.