
Site Address:	75 Hulbert Road, Havant, PO9 3TB		
Proposal:	Proposed annexe in rear garden.		
Application No:	APP/20/00601	Expiry Date:	09/10/2020
Applicant:	Mr Sattari		
Agent:	Mr M Holman	Case Officer:	Selina Donophy
	HRP Architects		
Ward:	Bedhampton		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 This application site is a two-storey, detached dwellinghouse located on the west side of Hulbert Road, Havant. This property has a pitched roof with a projecting gable end to the principle elevation featuring a juliet balcony . It has grey render to the elevations and is set back from the road with a paved hard standing to the front allowing for parking space for around 6 vehicles . Adjacent to the public highway is a low, grey boundary wall.
- 1.2 Due to coronavirus it was not possible to undertake a site visit for this application and therefore this recommendation is based on, amongst other matters, photographs supplied by the applicant.

2 Planning History

APP/16/00355 - Prior notification for single storey development extending 4.8 metres beyond the rear wall of the original dwelling, incorporating an eaves height of 3.00 metres and a maximum height of 3.3 metres.
, GPDC,20/05/2016

APP/16/00406 - Fell 1No. Oak tree (T1) and removal of tree stump subject to TPO 2040., REF,13/06/2016

APP/16/00494 - Single storey flat roof side and rear extension, creation of first floor including 3No. Juliet balconies to rear elevation and 3No. Juliet balconies to front elevation and 4No. rooflights in raised roof., PERM,13/07/2016

APP/17/00112 - Single storey flat roof side and rear extension, creation of first floor including 1No. Juliet balcony to the front elevation and 1No. juliet balcony to the rear elevation and 5No. roof lights in raised roof. (Revised Application)., PERM,08/03/2017

APP/17/00389 - Crown reduce height by 1-1.5m, reduce lateral spread by 2-2.5m, to 1No. Oak. Subject to TPO 2040., PERM,04/05/2017

3 Proposal

Proposed annexe in rear garden with jacuzzi and covered terrace area.

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

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)

Havant Borough Pre Submission Local Plan 2036

H6* (Residential annexes)

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

5 Statutory and Non Statutory Consultations

Arboriculturalist

A tree protection plan and method statement will be required to be submitted for this please.

Further comment

As the foundations are already in situ I do not need a method statement however I will still require a Tree Protection Plan. This is to ensure that the trees are not damaged during the continued construction and will give the applicant and the council reassurance that the trees of this.

Further comment following submission of Tree Protection Plan

The requested TPP produced by Consultant Bernie Harverson is sufficient to afford protection for this project and should be conditioned and adhered to as part of the conditions if approved. No objection from Arb.

Councillor Gary Robinson

No comment

Councillor Kenneth Smith

No comment

Councillor Mark Inkster

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: 8

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 0

Comment	Officer Comment
No comments received	

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) 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 Policy H6 in the emerging Local Plan, for which due weight is 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. This proposal includes a shared access and would not provide overnight accommodation.

It is acknowledged that provision of an annexe will inevitably lead to an intensification of the main dwelling. The design and layout of the annexe will therefore need to consider the amenity of neighbouring occupiers. Sufficient car and cycle parking for the annexe and the existing dwelling should also be provided. This is assessed in more detail under the 'Planning Considerations' section of the report.

- 7.4 This proposal includes an outbuilding , described as an annexe. The plans show a gym, bathroom and living area, with a sink/preparation area . The applicant has confirmed that the use of the annexe will be for family recreational use. Although some elements that would require this outbuilding to be used as a separate unit are missing from the proposal, for example a bedroom and cooking facilities, this does not mean that these could not be added in the future. For this reason the outbuilding would be conditioned to retain ancillary use to the main property as this would not be an appropriate setting for a separate residential unit.

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

- 7.5 This proposal comprises an outbuilding sited at the end of the rear garden which would have a width of approximately 12.2 metres with a depth of 4.6 metres . The roof slope would be hipped and would have a height of 2.4 metres to eaves level and 4.387 metres to ridge level. The building would have a front entrance and two sets of bi-fold style doors and a side elevation window to the north west elevation. The smaller set of doors would serve a gym room, the front door would lead into a small lobby area which would lead into a wc and the larger set of doors would lead into a living space with a sink/utility area. These larger doors would lead out onto an unraised patio area. Materials proposed include anthracite grey (RAL 7016) timber weatherboard cladding and Marley eternit slate tiles to the roof.
- 7.6 This proposal would be fairly large in terms of additional floorspace . Despite this, it would be located away from the public realm , although there would be visibility from surrounding properties, this is not judged to cause any harm to the general character of the area. There are other examples of outbuildings of a reasonable size in the immediate vicinity, although many are smaller in scale than this proposal . The outbuilding/annexe would be sited at the end of a fairly long rear garden which measures approximately 35 metres in depth and therefore is judged to be easily accommodated within the site without resulting in an overdeveloped or cluttered appearance.
- 7.7 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

- 7.8 To the rear (west) of the proposal site are nos 78 and 76 Newbarn Road and there is between 15 and 20 metres separation distance between the rear elevation walls of these properties and the rear boundary of no 75 and the annexe would be set off the rear boundary on average by 2 metres . The annexe would be visible from the rear of nos 78 and 76, with the roof projecting above the rear boundary fence by approximately 2 metres . Although there is no doubt the annexe would be visible, it is not judged to cause any significant harm to the amenity of these properties in terms of overshadowing , overlooking or overbearing impact.
- 7.9 To the north and south of the application site are nos 73 and 77 Hulbert Road. No 73 has an outbuilding in a similar position at the end of the rear garden to the proposal site for the annexe at no 75 and the proposed annexe is not judged to cause harm to this. The annexe would run parallel to the end of the rear garden at no 77, it would be sited away from the main dwelling and therefore any impact on amenity is judged to be limited.
- 7.10 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 no letters of objection were received with respect to the scheme.

(iv) Trees _

7. 11 There is a TPO oak tree on site in the rear garden of no 75 and a TPO oak tree in the rear garden of no 77 . The Council's Arboricultural Officer has been consulted in regard to the proposal and, following the submission of a Tree Protection Plan has upheld no objection to this proposal subject to a condition.

(v) CIL _

- 7.12 The CIL rates to be applied to the development are set out in the Havant Borough Council Infrastructure Levy Charging Schedule , which was adopted by the council on the 20th Feb 2013. This followed two public consultation exercises and an examination into the Charging Schedule by an independent examiner. The Examiners Report concluded that the Havant Borough Council Community Infrastructure Levy (CIL) Charging Schedule provided an appropriate basis for the collection of the levy in the borough. The levy is charged at £80 per square metre (plus indexing) on new floorspace (measured as gross internal area) in Havant.

This proposal comprises a detached annexe and is therefore CIL liable - it is noted that self build exemption has been claimed.

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.
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9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/20/00601

(A) 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:

8927 01 REV B Proposed plans and elevations and site plan received on the 19.01.2021
Arboricultural Impact Assessment Bernie Harveson Ref 1145.bjh.Oct20
Arboricultural Method Statement & Tree Protection Plan Bernie Harveson Ref: 1145 bjh.1et dated 16th November 2020

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, has insufficient amenity space 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 The proposed development shall be constructed and completed in full adherence to the Arboricultural Method Statement & Tree Protection Plan Bernie Harveson Ref: 1145 bjh.1et dated 16th November 2020. Any variations to the details of the document and plans must only be undertaken after the proposed variations have been agreed in writing by the LPA.
Reason : To comply with policy DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

