
Site Address:	Laburnums, St Peters Road, Hayling Island, PO11 0RT		
Proposal:	Garage conversion to residential annex for use of main dwelling		
Application No:	APP/20/00425	Expiry Date:	29/07/2020
Applicant:	Mr Fenn		
Agent:	Mr M Holman	Case Officer:	Selina Donophy
	HRP Architects		
Ward:	Hayling East		

Recommendation: **GRANT PERMISSION**

1 Site Description

The site is located on St Peters Road in Hayling Island. It comprises a two-storey detached dwelling with a front and rear garden. There is a driveway which extends along the south of the plot to a detached outbuilding located at the rear of the garden and a further area of parking to the rear of this. The site is surrounded by open fields to the south and east and low density urban development to the north. The existing outbuilding is currently used as a garage and store.

This site is close to, but not within Flood Zones 2 and 3 .

Due to coronavirus it was not possible to undertake a site visit for this application , therefore this has been assessed on photographs supplied by the applicant.

2 Planning History

03/52498/002 - Conversion of an existing building to a two bed bungalow utilising the existing vehicular access to St. Peters Road., REF,12/06/2003

03/52498/003 - Application for Certificate of Lawful use of Development relating to the use of a building to the rear of 'Laburnums' St Peters Road for purpose not connected with the dwellinghouse., PERM,09/07/2004

05/52498/004 - Two storey extensions to south and east elevations, porch to west elevation. Existing access to St Peters Road altered, change of use of existing outbuilding to ancillary garage/ workshop for dwelling house., REF,12/10/2005

05/52498/005 - 2 storey extensions to south and east elevations, porch to west elevation. Existing access to St. Peters Road altered, change of use of existing outbuilding to ancillary garage/workshop for dwellinghouse. (Revised application)., PERM,16/12/2005

06/52498/006 - Variation of Condition 6 of Planning Permission 05/52498/005 to allow the driveway thereby permitted to be constructed of compressed shingle, rather than bonded gravel., PERM,27/04/2006

APP/15/00780 - Conversion of existing detached garage to provide residential annexe to main dwelling., PERM,01/10/2015

APP/20/00135 - Single storey rear extension., PERM,25/03/2020

3 Proposal

Garage conversion to residential annex for use of main dwelling

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

- CS11 (Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
- CS16 (High Quality Design)
- CS17 (Concentration and Distribution of Development within the Urban Areas)
- DM13 (Car and Cycle Parking on Residential Development)

Havant Borough Local Plan (Allocations) July 2014

- AL1 (Presumption in Favour of Sustainable Development)
- DM24 (Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)
- AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements)

Havant Borough Pre Submission Local Plan 2036

Emsworth Neighbourhood Plan Post Examination Version 2020

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

5 Statutory and Non Statutory Consultations

Councillor Leah Turner - Hayling East

No comment received

Councillor M Wilson - Hayling West Ward

No comment received

Councillor R Raines - Hayling East

No comment received

Developer Services, Southern Water

Please find attached a plan of the sewer records showing the approximate position of a public foul sewer within the site. The exact position of the public sewers must be determined on site by the applicant.

Please note:

- The 150 mm diameter gravity foul sewers requires a clearance of 3 meters on either side of the gravity sewers to protect it from construction works and to allow for future access for maintenance.
- No development or tree planting should be carried out within 3 meters of the external edge of the public gravity sewer without consent from Southern Water.
- No soakaway, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 meters of public sewers.
- All existing infrastructure should be protected during the course of construction works.

Furthermore, 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 foul and surface water sewer to be made by the applicant or developer. We request that should this application receive planning approval, the following informative is attached to the consent:

Officer Comment : Please see Informative

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: 9

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 2

Comment	Officer Comment
The location plan outlined in blue on the site plan does not accurately depict the current boundaries of Laburnums and Eastview.	An amended location plan has been provided showing land ownership following the sale of land on site.
The NEHRA committee has considered the application, and as with the 2015 application, feel it will only take a few minor alterations to become a separate self-contained property. Assuming that the application meets all other conditions for approval, as previously, we would ask that the appropriate legal conditions are put in place to; 1) Bind the conversion to the main house to prevent a separate sale at any time, and 2) Ensure that there is no separate access is created on to St Peters Road, or St Peters Avenue 3) The new conversion is not allowed to be let as a separate property.	Please see 'Planning Considerations' section of report.

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 as annexe
- (v) Parking and access
- (vi) CIL

(i) Principle of development

7.2 The application site is not within the defined urban area, therefore development will only be permitted if it is consistent with the policies for the countryside set out in national policy as specified in Policy CS17. Whilst the principle of new dwellings is not supported in non-urban locations, in this case the application proposes the re-use of an existing building for purposes ancillary to the enjoyment of the host dwelling, and no objection is raised to this as a matter of principle as it accords with Policy AL2 of the Allocations Plan.

7.3 Supporting information has been provided stating use of the annexe would be for family members. This application follows an application APP/15/00780 which was granted approval in 2015 and it has been confirmed that this application was not implemented within the 3 year time frame, the use and proposal remains the same in the current application. Although the annexe does have sufficient facilities to enable living separate from the main property, this is proposed to remain ancillary to the main property by implementation of a condition.

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

7.4 This proposal comprises the conversion of the existing garage to create an annexe with 2 bedrooms, 3 bathrooms, a kitchen and living/dining area. The building would not be increasing in scale and would include internal alterations as well as changes to the exterior. The existing garage doors on the front (south) elevation would be replaced with two sets of bi-fold doors and there would be two new windows proposed to the east elevation and replacements to existing doors and windows. This proposal is not judged to have any significant impact on the character of the surrounding area.

7.5 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

7.6 This building is not sited within close proximity of neighbouring properties so as to have any harmful impact.

7.7 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).

(iv) Use as annexe .

7.8 Whilst the annexe would have suitable facilities for separate living i.e. bathroom, kitchen, bedrooms and a dining area, it would still share a vehicular access into the site. Also, the utilities would be connected to those on the main house so could not be billed separately. The use of the outbuilding is for guests and relatives as specified in the information submitted as part of the application. However, it is important that the ancillary relationship between the outbuilding and existing dwelling be maintained, as separate occupation would suffer from lack of a separate access and amenity space and would result in an intensive use of the site, out of keeping with the character of the area. It would also fall contrary to the NPPF and policy CS17 as well as H4 of the emerging Local Plan (2036).

7.9 Furthermore, the creation of a separate dwelling could have an in-combination impact on designated habitats, which has been considered by the recent Solent Recreation Mitigation Strategy; policy CS11 (11) and Allocations Plan policy DM24. Additionally any new development would need to prove to be nitrate neutral. The council is committed to development only taking place if it is sustainable development that includes relevant environmental protections. Part of the consideration of this is whether there would be a detrimental impact on the water quality on any European Designated Nature Conservation Sites. For these reasons, planning conditions would be needed to ensure the use of the outbuilding is only for the stated purposes and does not become a separate unit of accommodation.

(v) Parking and access

7.10 Access to the annexe would be via the access used by the main property- there would be no separate entrance/access. There is judged to be substantial parking on site to accommodate any additional use and loss of use of the internal garage space.

(vi) CIL

7.11 The CIL rates to be applied to development are set out in the Havant Borough Community Infrastructure Levy Charging Schedule, which was adopted by the council on the 20 February 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.

7.12 As this proposal is a conversion and would not result in any additional floorspace then there is no CIL liability in this instance.

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/20/00425 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:

02 Proposed plans

Amended location plan received 09.07.2020

8922-01A Amended site plan

Reason: - To ensure provision of a satisfactory development.

- 3 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 whatsoever.

Reason: Separate accommodation would lack adequate amenity/garden 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. It would also generate the need for mitigation of the in-combination impact of new dwellings on designated habitats which is subject to the provisions of Policy DM24 of the Havant Borough Local Plan (Allocations) 2014, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, the Habitat Regulations and the National Planning Policy Framework.