

Recommendation: **GRANT PERMISSION**

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)
 CS9 (Housing)

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)

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

5 Statutory and Non Statutory Consultations

Building Control, Havant Borough Council

No comment at this time

Community Infrastructure

No comment received.

Arboriculturalist

No objection, no trees will be affected by this proposal. There is however, hedging on either side of the boundaries and the development may affect its health as the extensions look to be in very close proximity.

Officer Comment: Due to the juxtaposition of the eastern elevation of the annexe to the western elevation of the neighbouring property at 52 Kings Road, a condition is recommended to retain the existing boundary hedge.

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: 5

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
After discussion between us and the Boutles at No 62 the proposed building has been taken slightly further away from the boundary with no 52 to allow the boundary hedge to be maintained.	See section 7.

We share the concerns regarding the hedging (see comment made 24.05 by the Arboricultural Officer Maria Stewart) but will support this application dependent on ongoing consultation to protect the boundary hedge and its future health.	
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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
- (iii) Impact upon neighbouring properties
- (iv) Use of the annexe
- (v) Developer contributions
- (vi) 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

7.3 The proposal is for the construction of a single storey extension to the western side of the property and a single storey detached building to the east of the property, projecting approximately 6 metres from the front elevation of the property, comprising a garage and 1 bedroom annexe, separated from the main dwelling by a courtyard area. The development would result in a generous increase in the volume of the property, however it is of a cohesive design and would relate well to the existing property. The proposal would be visible from the public realm, although the side extension is set back 2 metres from the front of the property and the garage/annexe is a minimum distance of 5.6 metres increasing to 7.8 metres from the highway.

7.4 The side extension is to be built close to the western boundary and is 6 metres deep, 2.6 metres wide with a mono-pitched roof to an eaves height of 2.3 metres and a maximum height of 3.6 metres, together with a 1 metre deep canopy to the rear.

7.5 The garage/annexe has a depth of 14.8 metres and a width of 4 metres with a pitched and half barn hipped roof to an eaves height of 2.3 metres and a ridge height of 3.9 metres. The property to the east is a bungalow with several windows in the western elevation including a bedroom and the current boundary treatment is a 2 metre high hedge. Following a site visit to this property, concerns were raised with respect to the potential overbearing impact of the scheme. Furthermore, due to the proximity to the boundary of the garage/annexe, the Council's Arboriculturalist advised that it was unlikely the existing hedge would survive, which would result in an outlook of a blank wall from the windows of the neighbouring property. Amended plans were subsequently submitted moving the garage/annexe away from the eastern boundary, increasing the distance between eastern elevation of the garage/annexe and the western elevation of 52 Kings Road to 3.2 metres at the northern end and 3.125

metres at the southern end which is judged to be acceptable.

- 7.6 The design and appearance of the proposal is deemed appropriate in context to the main building and 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) Impact upon neighbouring properties .

- 7.7 The side extension has no windows in the western elevation with a small window in the front elevation and a door in the rear elevation. Whilst there are rooflights in the extension, they are of a modest size and of a reasonable height and it considered they would not result in any harmful degree of overlooking the neighbouring property to the west. The eastern elevation of the garage of this property is 1.6 metres from the boundary. Furthermore, the side extension sits forward of the neighbouring property and would be adjacent to the drive and parking area which is not considered to be the primary amenity area, therefore any perception of loss of privacy would not be unacceptable.
- 7.8 Regarding the single storey garage/annexe, whilst it is of a generous depth there are no windows in the eastern elevation. The original proposal was for the building to be situated close to the boundary with the neighbouring property at 52 Kings Road. This property is a bungalow with several windows on the western elevation and following Officer concerns with respect to the perception of the garage/annexe being overbearing, amended plans were received increasing the distance between the eastern elevation of the proposal and the western elevation of this neighbouring property. It is noted a letter of support was received following the submission of the amended plans.
- 7.9 Although the garage/annexe is higher than the existing boundary hedge, it is not considered to be of an unreasonable height and pitches away from this boundary. Furthermore, to protect the visual amenity of the neighbouring property, a condition is recommended for the hedge to be retained at all times at a minimum height of 2 metres. It is therefore considered that the proposed condition, together with the re-positioning of the garage/annexe has addressed the previous concerns raised regarding the potential impact on 52 Kings Road and the outlook from the windows in the western elevation of this property will not be adversely affected.
- 7.10 There are bi-fold doors in the rear elevation of the annexe which is in excess of 16 metres from the rear boundary of the property and it is considered any resulting impact on the property to the rear would not be unacceptable. It is judged the properties opposite the site are a sufficient distance away for any impact to be negligible.
- 7.11 Consequently, it is considered that the proposal is unlikely to 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 of the annexe

- 7.12 Whilst the annexe would be separate from the main property with its own entrance situated on the western elevation via a courtyard, supporting information has been submitted with the application verifying the use of the accommodation is for the

applicants' elderly relatives.

- 7.13 It is acknowledged the building could potentially be utilised as a self-contained unit, so it is important that the ancillary relationship between the annexe and existing dwelling be maintained, as independent occupation would suffer from lack of amenity space and would result in an intensive use of the site, out of keeping with the character of the area. It would also be contrary to the NPPF and policy CS17. Furthermore, the creation of a separate dwelling could have an in-combination impact on designated habitats, which has been considered by the recent Solent Disturbance Mitigation Project; policy CS11 (11) and Allocations Plan policy DM24. For these reasons a planning condition is therefore recommended for the accommodation to be occupied incidental to the enjoyment of the existing dwelling, precluding it from being established as a separate unit of accommodation.

(v) Developer contributions

- 7.14 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. The levy is charged at £100 per square metre (plus indexing) on new floorspace (measured as gross internal area) in Emsworth.

- 7.15 The scheme would be Community Infrastructure Levy (CIL) liable due to the proposed use and the appropriate forms have been submitted. The gross new internal floor space for the building has been calculated by the agent as 54 sqm which generates a total CIL liability of £7,545.54. It is noted that self build residential annexe exemption has been claimed in relation to the development.

(vi) Parking

- 7.16 There is an increase in the number of bedrooms from three to four, subsequently there will be a requirement for three on site parking spaces as recommended in the HBC Parking SPD (July 2016). Together with the replacement garage it is considered there is existing sufficient parking on the site, therefore a condition would not be necessary 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/19/00143 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 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 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 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.

- 4 The hedging on the boundary between the application site and 52 Kings Road shall be retained at all times, at a minimum height of 2 metres. Any hedging which is removed, uprooted, destroyed, dies or becomes severely damaged or seriously diseased shall be replaced within the next planting season by hedging of similar size and species at minimum height of 2 metres, unless the Local Planning Authority gives its consent in writing to any variation.

Reason: To ensure an appropriate standard of visual amenity in the local area. In addition this condition is reasonable and necessary in order to protect the amenities of the neighbouring property of 52 Kings Road having due regard to policies CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

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

Drg no. 1801/0000 Rev P1	Location plan
Drg no. 1801/0100 Rev P1	Existing ground floor plan
Drg no. 1801/0200 Rev P1	Existing elevations plan
Drg no. 1801/1100 Rev P5	Proposed site plan
Drg no. 1801/2000 Rev P2	Proposed elevations plan
Drg no. 1801/2001 Rev P3	Proposed elevations plan

Reason: - To ensure provision of a satisfactory development.