



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**

I have no objection to the proposal. The off site Birch is not suitable to be protected by a Tree Preservation Order. The Off site Oak is far enough away from the development not to be affected.

### **Community Infrastructure**

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: 7

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 0

## **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 of the annexe
- (v) Parking
- (vi) Developer contributions

(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 and impact on the character of the area

- 7.3 The proposal is to be built at the end of the rear garden and would not be visible from the public realm. The application is for additional residential accommodation incorporating a shed of a modest size with a width of 5.7 metres, a depth of 6.8 metres with a flat roof to a maximum height of 2.6 metres. It would be in the same location as the existing sheds, albeit on a slightly larger footprint. Whilst the structure would occupy much of the width of the garden, it is not considered to result in significant detriment to the character of the area.
- 7.4 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

- 7.5 The proposal is to be situated at the end of the rear garden, approximately 15 metres from the rear elevation of the main dwelling. There are no windows in the eastern elevation of the building and which serves the new shed. There is a relatively modest high level window (1.4 metres cill height) serving the bedroom of the annexe in the western elevation of the building which is approximately 1 metre from the western boundary. This would be partially screened by the existing fence and it is noted a large shed is situated on the adjacent area of the neighbouring property to the west. There are no windows in the rear elevation of the proposal, and although it is close to the northern boundary of the property there is a rear access path between the rear boundary of the application site and the rear boundaries of the properties in Valley Close. It is therefore considered any resulting impact on the adjacent properties and the properties to the rear would not be unacceptable.
- 7.6 The southern elevation of the annexe has two windows and two doors, although it would be around 15 metres from the rear elevations of numbers 53 and 57 Park Avenue. Whilst the proposal could be perceived to result in a loss of privacy to the amenity areas of the properties immediately adjacent to the application site, some screening would be provided by the existing boundary treatment. A degree of overlooking already exists from the current property and it is deemed any additional overlooking would not be harmful.
- 7.7 The building would remain ancillary to the main dwelling house and therefore its use would be limited in certain regards such as utilities, amenity space and parking provision.

(iv) Use of the annexe

- 7.8 Whilst the annexe would be separate from the main property with its own entrance situated in the southern elevation, supporting information has been provided stating the use of the annexe is for an individual family member to provide support whilst maintaining a sense of independence. From the details given it is considered a level of dependency would exist between the family use of the main house and the residential activity in the annexe.
- 7.9 It is acknowledged the building could potentially be utilised as a self-contained unit, so it is important that the ancillary relationship between the annex 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. 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) Parking

- 7.10 There would be an increase in the number of bedrooms from four to five and whilst there will be no increase in the requirement for three on site parking spaces as recommended in the HBC Parking SPD (July 2016), it is noted there is existing provision at the site to accommodate the three spaces required.

(v) Developer contributions

- 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. The levy is charged at £80 per square metre (plus indexing) on new floorspace (measured as gross internal area) in Waterlooville.
- 7.12 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 30.6 sqm which generates a total CIL liability of £3,420.64. It is noted that self build residential annexe exemption has been claimed in relation to the development.
- 7.13 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). It is noted no letters of objection were received with respect to the scheme.

## 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/19/00213 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 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or a full specification of the materials to be used externally on the building(s) have

been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.

**Reason:** To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and 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 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 is not a satisfactory position and has insufficient amenity space 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 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no boundary fence or means of enclosure shall be constructed within the curtilage of the site such as to subdivide the site without the prior approval of the Local Planning Authority.

**Reason:** To prevent the sub-division of the application site, to ensure the that use remains ancillary to the main dwelling, in the interests of the amenities of the neighbouring properties and having due regard to policy CS16 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:

Location plan  
Proposed block plan  
Proposed floor and elevations plan  
Proposed section plan

**Reason:** - To ensure provision of a satisfactory development.