
Site Address:	65 Southleigh Road, Havant, PO9 2QQ		
Proposal:	Erection of 1No residential annexe and car port. Creation of new vehicular access to existing frontage.		
Application No:	APP/19/00068	Expiry Date:	15/03/2019
Applicant:	Mrs Gulliver-Clarke		
Agent:	Mr Russell	Case Officer:	Tina Pickup
	D84 Architects Ltd		
Ward:	St Faiths		

Recommendation: **GRANT PERMISSION**

1 Site Description

The application site relates to a large Victorian detached dwelling located on the western side of Southleigh Road, set in a large plot. The area is characterised by other large dwellings set in generous plots, generally within a linear formation. However immediately to the north, No 67 is set much further back and within a narrower plot such that its side elevation is close to the shared boundary behind the application dwelling. There is a first floor side window serving a bedroom in the side gable of No 67, which in effect directly overlooks the rear garden of the application site.

There is a TPO'd Corsica Pine tree located in the front southern corner of the site. The existing vehicular access to the site is taken in the northern corner of the site and runs parallel with the northern hedged boundary with No 67. The frontage of the site is graveled. To the rear the garden is flat and largely grassed with 1.8m high close boarded fencing forming the boundary adjacent No 67 with other boundaries being a mix of fencing and mature hedging.

At the time of the site visit (20/02/2019) the dwelling was empty and undergoing refurbishment works by builders. Southleigh Road is a classified road.

2 Planning History

90/55420/000 - Remove damaged branch and lightly trim crown of Corsica Pine covered by TPO 1330 ZHIS,01/10/1990
09/55420/001 - Tree works., UNK,
09/55420/002 - Crown thin by 20% and remove 1No. branch to south side of Horse Chestnut tree subject to TPO 1330., PERM,03/03/2010
APP/11/01547 - Crown lift to 5m and remove diseased, damaged and crossing branches on 1No. Horse Chestnut tree (T2) subject to TPO 1330., PERM,01/12/2011

3 Proposal

Erection of 1No residential annexe and car port. Creation of new vehicular access to existing frontage.

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)
CS21	(Developer Requirements)
DM13	(Car and Cycle Parking on Residential Development)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

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 - on original details

Noted that a hole has already been made in the hedge frontage for the new access and they are working on the property. They need to erect protective fencing in line with their arb report and Tree Protection Plan asap. I will also need a Tree Protection Plan to be submitted which doesn't say 'Draft' on it please. . Within the Arb report it states there will be no change to driveway surfacing - but formation of access within RPA - needs clarifying.

Arboriculturalist - on revised AIA

no objection providing the work is carried out in accordance with this report and TPP

Building Control

No Comment

Building Regulation consent will be required for this work

Crime Prevention

None received

Southern Water

No objections

The impact of any works on public apparatus will be assessed and approved under NRSWA enquiry

Requires a formal application for connection to the foul sewer, Informative requested
Adequacy of soakaways to dispose of surface water to be assessed by Building Control

Any sewer found during construction works must be investigated

Highways Engineer

The Highway Authority has no objection to the principle of the building proposals.

Southleigh Road is a classified road and the applicant has correctly sought planning permission for a new dropped kerb. The Highway Authority has a policy of only allowing a new access for a proposed new residential property (if needed) and will not give approval for an additional access to an existing property.

Highways Engineer - revised comments

I am happy to agree to the new dropped kerb vehicular access, subject it being used only for vehicles entering the site.

Public Spaces

None received

Waste Services Manager

No concerns

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: 16

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
No objection but concern over safety of vehicles and pedestrians using Southleigh Road during execution of works. Southleigh Road busy and with schools and railway crossing often at standstill. past 2 months tradesmen and contractors have had no consideration to the hazards they are creating by parking on the road, footpaths and grass verges. This has been daily since December and despite speaking to tradesmen dangerous parking ongoing. Request that during construction works due consideration given to parking by contractors	Temporary obstruction of highway by tradesmen not a planning matter - should be reported to Hampshire Highways or police Could put advisory Informative on decision notice but not condition

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) Impact upon the character and appearance of the area
- (iii) Impact upon residential amenity
- (iv) Highways and parking
- (v) Impact on tree
- (vi) CIL

(i) Principle of development

The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria.

The Council's Pre-Submission Local Plan 2036 currently has limited weight in the determination of applications, however it does contain an emerging policy H6 specifically relating to residential annexes. This emerging policy generally supports annexes provided there is a functional link, it remains ancillary, there is sufficient amenity space with no sub-division/ demarcation of the curtilage.

The application proposes a detached residential annexe for occupation by the elderly parents of the applicant which is self contained and includes small kitchen and bathroom. The proposed annexe is however sited close to the rear of the main house with covered link. It is therefore considered likely to remain genuinely occupied by persons linked to the main house as ancillary accommodation and does not represent the creation of an additional independent dwellinghouse. The garden would be shared by both the host dwelling and annex and no subdivision of the plot is proposed. Accordingly it is considered that the proposal would meet the criteria of the draft emerging policy H6. A condition can be imposed to ensure the annexe remains as ancillary accommodation.

(ii) Impact upon the character and appearance of the area

The proposed annexe building would be sited to the rear of the site and would not therefore impact the visual amenity of the wider area. The site is a large plot that can readily accommodate the additional development without causing harm to the low density character of the area. The proposed car port would be to the side elevation and is appropriately set back to remain a subservient structure. It would not be overly prominent in street scene terms and is considered acceptable to the character of the area.

(iii) Impact upon residential amenity

Following pre-application advice the proposed annexe has been sited carefully to minimise impact on the outlook and light/overshadowing to No 67 to the north. This dwelling is set further back with a first floor side window that serves a bedroom. This is a dual aspect room with dormer window aswell. The single storey design has an eaves height of 2.2m and ridge of 4m. The roof has been fully hipped to minimise bulk and the siting such that the outlook from the neighbours first floor window would only be marginally affected. From within the room only oblique angle views down to the roof of the structure and rear wall would be possible. There would be no direct loss of light or overshadowing to this room. Number 67 also has a patio area to the front of the house against the shared boundary where the annexe is proposed. Due to the orientation of the sun this gets the morning sun which would be unaffected by the proposal. However there may be some overshadowing in the afternoon/evening of this patio area although there is some mature planting on the boundary at a similar height to the proposal. The owners of this property however have no objection as they have alternative sitting out areas in the rear garden that get the afternoon sun.

On this basis it is considered that the height and siting of the proposed development has been respectful to the amenity of the neighbours which would not be significantly harmed. As such the proposal is considered to comply with policy CS16.

(iv) Highways and parking

The existing access point has substandard visibility due to frontage boundary hedges beyond the applicants control. The applicant wishes to avoid the need for vehicles to reverse into the live stream of traffic on Southleigh Road and thus is seeking a highway safety improvement through the creation of a second access point. The Highway Authority initially raised concern, noting that the Highway Authority does not normally give approval for an additional access to an existing property on a classified road. However in planning policy terms the only policy relating to this issue is an emerging policy IN4 in the Council's Pre-Submission Local Plan 2036 which seeks to restrict additional accesses onto classified roads. However this emerging policy also notes that additional accesses can be permitted where the arrangements on site allow vehicles to turn , so they can enter and leave the site in forward gear. It must also be noted that currently this draft policy has limited weight in decision making.

An amended plan has been submitted denoting that the existing access point is used as the "In" with the new access being the "Exit" which would enable vehicles to turn and leave the site in a forward gear. It is also noted that other properties also have two access points, including the dwelling immediately to the south and opposite. Overall it is considered that the proposed second access point would improve highway safety. The applicant has been made aware that planning permission does not over-ride the need for Highway Authority approval and there is a risk that the second access will not be approved by the Highway Authority despite having planning permission.

(v) Impact on tree

The proposed second access point is close to the TPO'd tree and the formation of the access would involve some works within the RPA. An amended AIA has been submitted indicating no dig construction and use of porous gravel together with protective fencing. The tree officer raises no objection to the proposal provided the AIA is adhered to.

(vi) CIL

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.

As a self contained annexe the proposal is CIL liable and the appropriate forms have been submitted. The gross new internal floor space for the building has been calculated by the agent as 57 sqm which generates a total CIL liability of £6,371.79 It is noted that self build residential annexe exemption has been claimed in relation to the development. The Draft Liability Notice has been sent.

8 Conclusion

The scale, siting and design of the proposal would have limited and acceptable impact on the neighbours and protected tree and result in a highway safety improvement for future occupiers, meeting the requirements of Policy CS16 of the HBLP (Core

Strategy). The proposed development 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/19/00068 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:
Site Location Plan 1:1250
Arboricultural Impact Assessment by Alderwood Consulting Ltd, revised 26th February 2019, Ref D1858AIAa and Tree Protection Plan AC2
Proposed Block Plan D8418_29/05 rev P1
Proposed Site Plan D8418_29/10 rev P3
Proposed Context plan D8418_29/11 rev P3
Proposed Annexe Plan D8418_29/15 rev P1
Proposed North and South Annexe Elevations D8418_29/22 rev P1
Proposed East and West Annexe Elevations D8418_29/21 rev P1
Proposed Plans and Elevations D8418_29/20 rev P1
Reason: - To ensure provision of a satisfactory development.
- 3 The external materials used for the hereby approved annexe shall match, in type, colour and texture, those of the main dwelling 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 annexed 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 to be occupied separately from the main dwelling and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 5 The proposed works shall be carried out in full accordance with the Arboricultural Impact Assessment by Alderwood Consulting Ltd, revised 26th February 2019, Ref D1858AIAa and the Tree Protection Plan AC2.
Reason: To ensure the tree is not adversely affected by the construction of the access and having due regard to policy DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and National Planning Policy Framework, March .