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|------------------|-----------------------------------------------|---------------|--------------|
| Site Address:    | 71 Sandy Point Road, Hayling Island, PO11 9RR |               |              |
| Proposal:        | Detached garage to rear.                      |               |              |
| Application No:  | APP/16/01083                                  | Expiry Date:  | 23/12/2016   |
| Applicant:       | Mr Goulding                                   |               |              |
| Agent:           | Mr C Power                                    | Case Officer: | Bee Crawford |
|                  | Thorns - Young Ltd                            |               |              |
| Ward:            | Hayling East                                  |               |              |
| Site Visit Date: | 11/11/2016                                    |               |              |

Recommendation: **GRANT PERMISSION**

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## **1 Site Description**

- 1.1 The application site is a detached chalet style property which has been extensively extended with a detached garage in the rear garden. It has a red tiled pitched and half barn hipped roof with flat roof dormers and elevations of cream painted render. There is open vehicular access to the front with a block paved and shingle parking area with a 1 metre high wall to the front and western boundary and open to the east with a driveway between the properties. The rear garden has a depth in excess of 30 metres and is lawned with a large patio area. There is a 1.8 metre high fence to the rear boundary and 2 metre high walls to the eastern and western boundaries.
- 1.2 A detached bungalow is to the east, a detached chalet style bungalow is to the west, the rear garden of a property in Haslemere Gardens is to the rear and a detached bungalow lies opposite. The area is of low to medium density with a mixture of detached bungalows, chalet style dwellings and two storey properties of individual and similar age, style and design.

## **2 Planning History**

APP/10/00442 - Raising of roof height to create additional habitable accommodation within the roofspace. New dormer window to front and rear, PERM 03/11/2010.  
APP/11/00316 - Raise roof height to create additional habitable accommodation within the roofspace. New dormer windows to front and rear. (Revised application), PERM 17/05/2011.

## **3 Proposal**

- 3.1 The proposal is for the construction of a detached garage to the rear, following the demolition of the existing garage.

## **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

|      |                                                    |
|------|----------------------------------------------------|
| CS15 | (Flood and Coastal Erosion)                        |
| CS16 | (High Quality Design)                              |
| DM13 | (Car and Cycle Parking on Residential Development) |

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

## 5 **Statutory and Non Statutory Consultations**

### **FAO Mr P Marshall, Development Engineer**

The Highway Authority have no adverse comment on the construction of a replacement garage for the residents private use, but this building is large.

## 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: 14

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 6

| Comment                                                                                                                                                                                                                                                                                                                                                                             | Officer Comment                                                                                                                                                                                |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| We have concerns about the noise of the vehicles coming and going at all hours also it is very close to the back of our home. Also he works or owns his own business in car body repairs so would he be running this from his home as this is not a quiet line of work ,and what if he says no and at a later date he decides work from home could he then get permission to do so. | See section 7 below.                                                                                                                                                                           |
| The plans are showing where it is going to be built it's approximately 12 to 14 metres from the rear of our property which is where our bedroom is situated.                                                                                                                                                                                                                        | Amended plans were submitted on 14/12/16 revising the location of the garage.                                                                                                                  |
| I am writing to <b>object</b> to the proposed build of a 'garage' by my next door neighbour.<br>The land he is planning on driving up and down is actually my driveway (see attached title plans for both addresses), where my family park when they visit me, which is more and more often now as I am 82 years old.                                                               | There is an existing garage in the rear garden of the application site. Access to the new garage is is a civil matter which would need to be resolved between the applicant and his neighbour. |
| Not only this but the building which they are proposing, is almost the size                                                                                                                                                                                                                                                                                                         | See section 7 below.                                                                                                                                                                           |

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| of my entire bungalow, this is ridiculous.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                |
| <p>I object completely to the proposed build.</p> <p>The plans submitted to you do not reflect the true ownership of the land being used. I have sent the true title plans which show that I own the entire driveway and I am not happy for cars to be driving up and down it.</p> <p>Not only this, all relatives who visit me use the driveway to park in so this would leave them with nowhere to park.</p> <p>The proposed build of a 'garage' looks to be about the same size (if not bigger) as my entire bungalow.</p> <p>I object and I have emailed plans to show proof of ownership.</p>                                    | <p>There is an existing garage in the rear garden of the application site. Access to the new garage is a civil matter which would need to be resolved between the applicant and his neighbour.</p> <p>See section 7 below.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                |
| <p>Please find attached copies of the official Title Plans obtained from the UK Land Registry regarding ownership of land between 2 properties in the above reference planning application. You can see quite clearly from these plans that my mother Shirley Baker owns the land which the neighbours are trying to use in their application. Please see my comments on the Public Access page for further details of my complaint.</p> <p>This planned build is ridiculous in size for starters, the location of the planned build is also not acceptable as it would require them to be driving up and down my mothers garden.</p> | <p>There is an existing garage in the rear garden of the application site. Access to the new garage is a civil matter which would need to be resolved between the applicant and his neighbour.</p> <p>See section 7 below.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                |
| <p>I am the daughter of the resident of 73 Sandy Point Road. My concerns are with my elderly mother:</p> <p>My mother is 82 years old and has lived in the property for 22 years. The access land to the rear of number 71, is owned by my mother, I visit frequently and need access and so do other members of my family. I see from the proposed plans that they are looking to erect an enormous garage and will possibly be turning this into a residential bungalow/dwelling in the near future, as the residents at 71</p>                                                                                                     | <p>See section 7 below.</p>                                                                                                                                                                                                    |

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|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Sandy point Road are constantly asking my mother to sell her land at the back.</p> <p>They also run a business nearby and might look to bring this to their home too. I see this as a huge problem. I object 100%.</p>                                                                                                                                                                                                                                                                                                                                                       | <p>See section 7 below.</p>                                                                                                                                                                           |
| <p>I totally object to this application- I think that the occupants of 71 Sandy Point Road, fail to realise that the majority of access to the proposed garage/which will be a residential dwelling in the very near future is owned by Mrs Shirley Baker at 73 Sandy Point Road. So unless Mrs Shirley Bakers agrees to sell the land this monstrosity will NOT happen. The house plans for both properties have been submitted and you can clearly see that this is the case. I suggest if the occupants want to conduct a business from their residence they move house.</p> | <p>There is an existing garage in the rear garden of the application site. Access to the new garage is is a civil matter which would need to be resolved between the applicant and his neighbour.</p> |

## 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) Flood issues

(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 proposed detached building would be situated towards the end of the rear garden of the application site and would be partially visible from the public realm, although it is considered any impact on the existing streetscene would be minimal. The development is of a substantial size, however only requires planning permission due to its height. It should be noted a building of a comparable size could be built with a flat roof within the realms of permitted development. The design and appearance of the building 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 proposal would not result in an adverse impact on the visual amenity of the locality.

(iii) Effect on neighbouring properties

7.4 It is acknowledged that the proposal would be fairly prominent to the property to the rear of the application site in Haslemere Gardens, as the depth of the garden of this property

is relatively shallow. Following Officer concerns, amended plans were received on 14 December, increasing the minimum distance of the garage to the northern boundary to 2 metres and a maximum distance of 3.8 metres. Furthermore, the roof is of a modest height and pitches away from the rear boundary.

- 7.5 Concern has been raised about the potential use of the garage, including the operation of a car repair business and a residential dwelling. The proposal is for a garage to store the applicant's collection of motorcycles and American cars and additional information has been provided as part of the application to support this. Whilst the current application cannot be determined on the supposition of any future use, a condition is recommended restricting the use of the garage for this purpose only. Any alternative use would require a separate planning application and considered on its own merits.
- 7.6 The main doors to the garage are in the southern elevation, there are no openings in the eastern elevation, two small high level rooflights in the northern elevation and a window and door in the western elevation which is approximately 4.2 metres from the boundary. A condition restricting the provision of any additional windows, doors or rooflights to the side and rear elevations and roofslopes of the garage is recommended to alleviate any future possibility of overlooking and loss of privacy.
- 7.7 The properties to the east and west of the application site are situated on plots of a similar depth. The proposal would be approximately 1.5 metres from the boundary with number 73 Sandy Point Road and 1 metre from the boundary with number 69 Sandy Point Road, (although it is noted there are a number of large outbuildings at the end of the garden of this property), and in excess of 17 metres from the rear elevation of number 73 and 20 metres from the rear elevation of number 69.
- 7.8 Although the proposed garage is a considerable size, the need for planning permission has been triggered due to the height and proximity to the eastern and western boundaries of the application site. The pitched and hipped design of the roof would minimise any perception of the garage being overbearing. It is noted that if the total height was reduced by 1.4 metres or the overall width of the garage reduced by 1.5 metres, the garage would fall within the realms of permitted development and planning permission would not be required.
- 7.9 The development is therefore considered to be a sufficient distance away from the adjacent properties and whilst there would be a bearing on these properties, the degree of impact is not considered so great as to constitute a defensible reason for refusal.

(iv) Flood Issues

- 7.10 The site is within Flood Zone 3, however the proposed development is for the construction of a detached garage, and will therefore not put the occupiers or employees of the emergency services at any additional risk in the event of a flood. The agent has submitted a flood risk assessment to confirm that appropriate flood risk measures have been considered. The development therefore meets the requirements of policy CS15 of the Havant Borough, Local Plan (Core Strategy).
- 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 to the rear, meeting the requirements of Policy CS16 of the HBLP (Core Strategy).

## **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/16/01083 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 to be used for the garage hereby approved shall be as stated within the planning application unless the Local Planning Authority gives prior written approval for any variation.  
**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 building hereby permitted shall be used solely for the storage of cars and motorcycles incidental to the occupation and enjoyment of the existing dwelling and shall not be used for any business, commercial or industrial purposes whatsoever or as a separate unit of accommodation.  
**Reason:** In the interests of the amenities of the occupiers of nearby properties 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 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no additional windows, doors or other openings shall be constructed within the elevations and/or roofslopes of the building without the prior written approval of the Local Planning Authority.  
**Reason:** In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 6 The development hereby permitted shall be carried out in accordance with the following approved plans:  
  
Location plan  
Block plan - amended December 2016  
Drg No. 9197-16 Rev A Proposed floor and elevations plan - amended December 2016  
Flood risk assessment  
Letter with supporting information dated 9 January 2017  
  
**Reason:** - To ensure provision of a satisfactory development.