
Site Address:	182 Stakes Hill Road, Waterloooville, PO7 7BS		
Proposal:	Erection of 2No. timber framed outbuildings to rear		
Application Type:	Full Planning Permission		
Application No:	APP/22/00833	Expiry Date:	02/11/2022
Applicant:	Mrs K Dognini		
Agent:		Case Officer:	Tina Pickup
Ward:	Stakes		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site relates to the northern most dwelling following the subdivision and conversion of a large Victorian style 'villa' into 3 dwellings in 1996 under 96/61631/00. This property gained an unusual curtilage when subdivided, with staggered projection to the north and large rear area which extends some 36m and wraps around the shorter rear gardens of 182a and 182b. There was a TPO'd Ash and Silver birch tree within the rear curtilage which have both recently been felled (see APP/20/00180 - due to ash dieback but was conditioned for a replacement tree to be planted; and APP/19/00259 - for the silver birch due to leaf litter where no public amenity value, and no requirement to replace). There are currently other off-site, significant trees to both the north and south such that their canopy spreads overhang the site, as well as some more minor trees within the site.
- 1.2 The application dwelling has also gained planning permission under APP/17/00222 for a two storey side and front extension and rear single storey extension. The single storey rear extension has been implemented, making the whole permission extant. The footprint of this recent single storey addition extends to largely infill the side staggered curtilage such that there is now only a pedestrian side path round the extension to the rear garden.
- 1.3 The large rear garden is relatively flat and enclosed by a mix of boundary treatments. There are already a series of sheds against the western boundary and remains of an original old wall/outbuilding remain in the centre of the garden. To the north is a detached chalet style bungalow sited with its blank gable end close to the shared boundary, which at this point comprises 2m close boarded fence. This property, number 11 Durham Gardens, has its private rear garden to the north, and is accessed from its south. Adjacent the north-western corner of the site, and to the north of number 11 Durham gardens is a two storey Coach House that dates from the 1890s and has the appearance of a dwelling, but is an 'outbuilding' serving the main frontage dwelling at 178 Stakes Hill Road and only has pedestrian access via 178.

2 Planning History

02/61631/003 - Two storey rear extension., PERM,02/04/2002
97/61631/001 - First floor rear extension, WD,15/09/1997
97/61631/002 - Outline application for the construction of a detached 2 bedroom bungalow utilising existing access from Stakes Hill Road REF,17/02/1998
96/61631/000 - Conversion of 5 bedroom house into 1 x 3 bedroom and 2 x 2 bedroom residential units, demolition of flat roofed front extension, alterations to the east elevation, replacement single storey rear extension and associated parking and new access, PERM,19/12/1996
05/61631/004 - Single storey rear extension., PERM,04/05/2005
05/61631/005 - Proposed rear single storey extension., PERM,02/12/2005
APP/11/01363 - Crown reduce by 3m and crown raise to 5m 1No. Ash tree (T2), crown reduce by 2m, crown raise 5m 1No. Silver Birch tree (T3) both subject to TPO 1701., PERM,07/10/2011
APP/16/00039 - Crown reduce 1No. Silver Birch(T3) by 1.5m, subject to TPO 1701., PERM,14/03/2016
APP/16/01226 - Two storey side and front extension, conversion of loft space and raising of roof height., WD,09/01/2017
APP/17/00222 - Two storey extension to the front/side and single storey extension to the rear.(Resubmission)., PERM,13/04/2017
APP/19/00259 - Fell 1No Silver Birch, subject to TPO 1701, PERM,31/05/2019
APP/20/00180 - Fell 1No. Ash (T2) subject to TPO 1701, PERM,22/05/2020
APP/22/00223 - Garden building to rear., WD,04/07/2022

3 Proposal

- 3.1 Erection of 2No. timber framed outbuildings to rear
- 3.2 Each outbuilding has an 'L' shaped footprint and would be sited at the rear of the site, adjacent the western boundary, with tapered separation between 1m and 3.8m. Each outbuilding would have a maximum length of 10.25m and width of 7.5m, and are contemporary flat roofed buildings having a height of 3m. The application form indicated materials would be timber cladding with metal cladding to the rear elevation in anthracite/black; doors and window frames would be anthracite/black. Details of the foundation/base system using a timber frame screwed into the ground as tree protection has been submitted.
- 3.3 One of the outbuildings would be used as a games room and home office, for the occupiers of the main dwelling on an incidental basis. The second outbuilding would be used as guest accommodation and would include multi-use living and sleeping space with kitchen, as well as a second home office. As such this is ancillary accommodation - the submitted information indicates it would be used for family and friends only.

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)
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)

Emsworth Neighbourhood Plan Post Examination Version 2020 n/a

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

5 **Statutory and Non Statutory Consultations**

Arboriculturalist

none received

Community Infrastructure

This application may be CIL liable in respect of building No. 2 if it is classed as an annex. The Garden Building Use document submitted mentions building No. 2 will be used for overnight stays for family and friends, but the floor plan does not show a bedroom. <http://www.havant.gov.uk/community-infrastructure-levy-charging-schedule>

Officer Comment:

CIL forms 1, 2 & 8 have been received and confirmed by the CIL team as correct

Southern Water

map provided shows sewer under main frontage house; If the works to be carried out will alter the existing foundation line or depth or the structural load applied on the sewer it will be necessary for the applicant to contact Southern Water.

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

Should any sewer be found during construction works an investigation will be required;

means of disposal of foul drainage is not specified; need to make an application to connect

Surface water discharge should follow Building Regs part H3 hierarchy and re-use where possible;

Officer Note

The existing foul sewer is some 20m away from the proposed outbuildings.

Portsmouth Water Company

no concerns regarding impact to groundwater quality, therefore do not recommend any planning conditions

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: 6

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
The back of one of these buildings will be very close to our small back garden. Please ensure that there is minimal impact in terms of height, appearance, privacy and noise.	See section 7 below

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 and use
- (ii) Appropriateness of design and impact on the character of the area
- (iii) Effect on neighbouring properties
- (iv) Impact on trees
- (v) CIL

(i) Principle of development and use

- 7.2 The application site is located within the defined urban area, therefore development is considered acceptable in principle subject to development management criteria. The proposed outbuildings, whilst large and one includes kitchen and shower room making it capable of independent occupation, nevertheless are submitted as incidental and ancillary to the occupation of the main house. Given the limited, pedestrian only access to the outbuildings, passing very closely by the host dwelling, then separate independent occupation would be unlikely. On the basis of the submitted statement outlining the proposed uses for family and friends, it is considered the outbuildings can be adequately conditioned to be used for ancillary purposes; any future breach could be enforced.

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

- 7.3 The large garden is in a set back location and not visible from any public area. The presence of ancillary outbuildings is not inappropriate for residential gardens and would not harm the character of this residential area. The siting and appearance of the proposal is deemed appropriate in context to the site 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

- 7.4 The proposed outbuildings would be sited across the majority of the rear garden and therefore would span the entire length of the neighbours rear garden. This shared boundary tapers and the outbuildings would be set off this boundary by between 1m and 3.8m. At 3m high they would project above the fence on the boundary and be visible from number 11 Durham Gardens. But whether their presence would be harmful enough to result in a loss of amenity sufficient to refuse the application is doubtful. It is accepted they would be visible above the fence and potentially enclosing, but due to their orientation the only additional overshadowing would be in the morning. The separation of the buildings to the fence line, increasing from 1m, would give some relief to the immediate overbearing effects of the outbuilding.
- 7.5 Overall, given that permitted development outbuildings could be 2.5m high, then the adverse impacts on the occupiers of 11 Durham Gardens from the additional 0.5m proposed, is considered to be insufficient to justify a reason for refusal. In terms of their proposed use, as ancillary accommodation the site would remain a single family dwelling and potential noise and disturbance would not be materially increased. Therefore it is considered that the proposal will not appear unduly overbearing, enclosing or harmful and would have limited and acceptable impact on the properties immediately adjacent to the application site, meeting the requirements of Policy CS16 of the HBLP (Core Strategy).

(iv) Impact on trees

- 7.6 The two TPO'd trees on the site have been removed with consent and are no longer constraints (one still needs to be replaced and this could be done in a suitable position post this development). The other trees that bound the site are largely off site but mature, and it is likely that their roots would extend over the proposed development area. Details of a technical solution for the foundation/base has been provided from "The Ground Screw Centre" which would be a timber frame base screwed into the ground. This would avoid the need for deep foundations and minimise ground disturbance.
- 7.7 No Arboricultural Method Statement has been submitted, but with a condition specifying any soil clearance to be undertaken by hand and placement of screws to avoid main tree roots, then it is considered that the development could be constructed without harm to the surrounding trees. On this basis the proposal would be considered compliant with policies CS11 and DM8 and sufficiently protect the trees.

(v) CIL

- 7.8 The outbuilding that is to be used for overnight accommodation is CIL Liable and the appropriate forms have been received, together with a claim for a self-build annexe. The Draft Liability Notice has been sent to the applicant.

8 Conclusion

- 8.1 The scale, siting and design of the proposed outbuildings, and their ancillary use, 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/22/00833 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:

Proposed Location & Block, Elevations and Plans - Drawing Number A101
Rev E
Tree Canopy Estimate Plan
Ground Screw Base Details
Garden Room Usage Statement

Reason: To ensure provision of a satisfactory development.

- 3 The outbuildings 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 independent unit of accommodation.

Reason: The siting of the outbuildings are inappropriate 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 foundation base system shall be in full accordance with the hereby approved Ground Screw Base details and the groundwork's to install the Ground Screw Base system shall be undertaken using hand tools only with no mechanical excavation. The precise positioning of the screws shall avoid any large tree roots found.

Reason: To protect the health and stability of the mature trees on and adjacent the site, having due regard to policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 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.