
Appeal Decision

Site visit made on 27 July 2015

by Ray Wright BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 25 August 2015

Appeal Ref: APP/M1710/W/15/3006153

35a Murray Road, Horndean, Waterlooville, Hampshire PO8 9JQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Nikki Radcliffe against the decision of East Hampshire District Council.
 - The application Ref 30494/005, dated 12 December 2014, was refused by notice dated 16 February 2015.
 - The development proposed is change of use of 'the existing detached annexe to a new detached one bedroom dwelling with new off road parking area for one vehicle and new vehicular access.'
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Decision

1. The appeal is allowed and planning permission is granted for change of use of the existing detached annexe to a new detached one bedroom dwelling, with new off road parking area for one vehicle and new vehicular access at 35a Murray Road, Horndean, Waterlooville, Hampshire PO8 9JQ in accordance with the terms of the application, Ref 30494/005, dated 12 December 2014, subject to the conditions set out in Schedule A.

Main Issues

2. The main issues in this case are the effect on the character and appearance of the area and the effect on the living conditions of future occupiers, having particular regard to amenity space.

Reasons

3. The appeal relates to a single storey building adjoining a detached chalet bungalow. The proposal involves its use as a separate dwelling.

Character and Appearance

4. The National Planning Policy Framework (Framework) indicates that there should be a presumption in favour of sustainable development. It confirms, however, that good design is a key aspect of sustainable development. Policy CP2 of the East Hampshire District Local Plan: Joint Core Strategy (CS) sets out a spatial strategy for the District while Policy CP29 requires a high standard of design, respecting the context of the site and ensuring that developments are
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- sympathetic to their setting, including having appropriate spacing around buildings.
5. The area around the appeal site is predominantly residential in nature, with a mix of different size, form and style of dwellings, including bungalows. The appeal site occupies a corner plot, which appears more extensive than its immediate neighbours, with a wider road frontage. The property therefore has a relatively unique setting.
 6. The existing annexe is detached with its main elevation and entrance fronting Murray Road on the opposite side of the building to the main dwelling. While the building appears to have originally been a garage, it now has a wholly domestic appearance and does not represent an obvious ancillary structure. Existing boundary fencing already provides an enclosed rear garden area. Overall, the annexe already exhibits a significant degree of independence within the street scene.
 7. The internal layout of the annexe building constitutes a wholly self-contained unit, with separate kitchen and bathroom, reasonably sized double bedroom and a lounge where floor space is increased by an added conservatory. In these circumstances, any independent occupation is unlikely to materially alter the intensity of use at the site.
 8. The proposal would involve minimal external changes. A new dividing fence would separate the two properties, but on the frontage this would be to a height of one metre, making it a low key feature. In addition, independent occupation of the annexe would be liable to require some added domestic paraphernalia. However, this would seem to be limited with some duplication already existing including what appears to be separate refuse storage for the annexe outside its front door.
 9. The most significant alteration at the site from this proposal would be the introduction of an independent parking space for the building, on its current open front garden area. However, a significant portion would remain and, therefore, from the public realm the overall area and spacing on the frontage would not be significantly dissimilar to other front gardens nearby.
 10. Overall, the limited changes proposed at the site would have minimal effect on the wider character and appearance of the area, and to my mind, any variance with adjoining plots would be no more obvious than currently exists. As such, I conclude that there would be no conflict with the Framework, or Policies CP2 or CP29 of the CS.

Living Conditions

11. One of the principles of the Framework is to seek a good standard of amenity for all existing occupiers of land and buildings.
12. The appeal building has a rear garden area and side patio. Although small in area, these provide a private and functional garden space which enables outside seating and provision for domestic requirements, such as a washing line.
13. The landscaped area of the current front garden would be reduced by the introduction of the proposed parking space. However, a significant area of lawn

and planting would be kept thus retaining a principally landscaped, attractive open frontage on this corner plot.

14. The areas involved would, to my mind, be appropriate, based on likely occupation of the dwelling by a single person or, at maximum, a couple. I conclude that the layout and garden space proposed would not be harmful to the living conditions of future occupiers of the dwelling. As such, the scheme is not contrary to the amenity requirements of the Framework or Policy CP29 of the CS.

Conclusion

15. I conclude, for the reasons given above, that the appeal should be allowed.

Conditions

16. I have considered the conditions suggested by the Council should the appeal succeed against the advice in Planning Practice Guidance and for clarity. The standard commencement condition is required, as is a condition referring to the relevant plans, for the avoidance of doubt and in the interests of proper planning.
17. The Council have put forward a condition which would preclude certain forms of 'permitted development.' Due to the background to this site and the relatively constrained curtilage of the annexe, together with its corner location, I consider limitation of extensions and additions, in this particular case, is reasonable and necessary.
18. The submitted plans indicate an independent parking space for the dwelling. The provision of this, together with associated pedestrian sight-lines, prior to occupation of the dwelling and its subsequent retention on site, are reasonable and necessary to ensure there is no further pressure on roadside parking. The suggested separate restriction of use of the parking space, once provided, can be incorporated within the condition requiring its provision.
19. As the frontage is to be altered, to change a section of the site from lawn to hard standing to provide the parking space, the imposition of a condition to control surface water drainage is appropriate.
20. Separate refuse storage for the building appears to have been provided already. Therefore a formal condition requiring details of arrangements are unnecessary. However, a condition related to separate bicycle storage is reasonable, based on the location of the property.
21. The submitted plans indicate a fence line between the appeal site and the main property. This includes a section to the frontage of the site. In such circumstances, to ensure a suitable appearance, a condition requiring details of the form of the boundary treatment is reasonable.

Ray Wright

INSPECTOR

Schedule A: Conditions:

- 1) The development, hereby permitted, shall begin not later than three years from the date of this decision.
- 2) The development, hereby permitted, shall be carried out in accordance with the following approved plans: E001, E004, P001, P002, P003, and P004.
- 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order), no extensions, additions or enlargements of the dwelling, as hereby permitted, shall be made or erected.
- 4) Before the building is occupied as a separate dwelling, the access, including the footway/verge crossing shall be constructed and lines of sight of 2.4 metres by 14 metres provided in accordance with the approved plans. The lines of sight splays shown on the approved plans shall be kept free from obstruction exceeding 1metre in height above the adjacent carriageway and shall subsequently maintained so thereafter.
- 5) Before the building is occupied as a separate dwelling, provision for parking shall have been made within the site in accordance with the approved plans. The car space to be provided shall be kept available for the parking of motor vehicles at all times. The car space shall be used solely for the benefit of the occupants of the dwelling, hereby permitted, and their visitors, and for no other purpose and permanently retained as such thereafter.
- 6) Before use of the building as a separate dwelling is commenced details of a scheme to prevent surface water from the site discharging onto the adjacent highway shall have been submitted to, and approved in writing by, the Local Planning Authority. The works shall be carried out in accordance with the approved details before the new dwelling, hereby permitted, is occupied and shall be retained thereafter.
- 7) Before the building is occupied as a separate dwelling details of the provision of cycle storage within the site shall be submitted to, and approved in writing by, the local planning authority. Development shall be carried out in accordance with the approved details and retained thereafter.
- 8) The building shall not be occupied as a separate dwelling until a plan indicating the position, design, and materials/species of new boundary treatment to be erected has been, submitted to and approved in writing by, the local planning authority. The approved details shall be fully implemented before the dwelling, hereby approved, is occupied and retained thereafter.