

Recommendation: **REFUSE PERMISSION**

- 3.1 Conversion of existing garage to form annexe accommodation with front and rear dormers to allow accommodation at first floor level.
- 3.2 The proposed plans indicate the provision of an internal staircase such that the ground floor would provide a living area and the first floor a bedroom and bathroom. The agent has indicated that the proposed annexe would be for the exclusive use of the applicants son who rises early for work purposes; but evening meals would be taken in

the main property.

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

CS16 (High Quality Design)
CS17 (Concentration and Distribution of Development within the Urban Areas)
DM10 (Pollution)
DM13 (Car and Cycle Parking on Residential Development)

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)
DM18 (Protecting New Development from Pollution)
AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements)

Submission Version Havant Local Plan

E22 (Amenity and pollution)
E1* (High quality design)
H6* (Residential annexes)

Emsworth Neighbourhood Plan Post Examination Version 2020

[n/a](#)

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

5 Statutory and Non Statutory Consultations

Community Infrastructure, Planning Policy & Urban Design

CIL Liable in respect of the detached annex:

<http://www.havant.gov.uk/community-infrastructure-levy-charging-schedule>.

CIL Form 8 for self build relief has been submitted.

Southern Water

Formal application required for any new connection to the public foul sewer
Surface water discharge should follow part H3 Building Regs hierarchy
Should any sewer be found during construction works an investigation will be required.

Southern Gas Network

None received

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

Comment	Officer Comment
None Received	

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) Living conditions for future occupiers and "Ancillary" use
- (v) Parking
- (vi) CIL

(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 external alterations to the existing garage would involve removing the garage door and replacing it with a window, with steeply pitched dormer above. The north elevation facing the main dwelling would retain the existing entrance door but the existing window would be bricked up. To the rear would be a large flat roof dormer, which would face the woodland belt and only be seen from side views. Overall the operational alterations to the garage are considered to be visually appropriate and unobtrusive in street scene terms. The building is sited within a residential area and the alterations retain a domestic scaled development appropriate in context to the sites surroundings, meeting the requirements of clause c) of Policy CS16 of the HBLP (Core strategy).

(iii) Effect on neighbouring properties

7.4 The separation distances of the existing garage to adjacent properties is such that the added bulk from dormers would have no overshadowing or overbearing impact. Side views from number 16 would be possible but being to the front would not adversely impact the outlook or enjoyment of private amenity areas of neighbouring residents.

7.5 In terms of use, there could be additional movements to and from the proposed annexe, tantamount to the creation of a new dwelling. The internal layout of the conversion would result in a unit of accommodation capable of independent occupation. Whilst no kitchen or kitchenette area is shown on the plans, the ground floor living area is of sufficient size that one could readily be inserted. Nevertheless in

this high density residential area it is unlikely that the comings and goings associated with an additional dwelling would be harmful to neighbouring amenity. Furthermore regard must be had to the fact that the application is submitted on the basis of an "annexe" as ancillary accommodation and as such there would remain a functional link with the main house. Therefore any additional activity associated with the use of the garage as an annexe is considered unlikely to cause any disturbance to neighbours.

- 7.6 Overall, it is considered that the proposal will not 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, 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.

(iv) Living conditions for future occupiers and "Ancillary" use

- 7.7 The proposed accommodation would amount to about 39sqm where head height is above 1.5m, which complies with the Nationally Described space standards for a 1 bed 1 person unit for a single storey unit (none is given for a 2 storey unit), but a 1 bed 2 person unit should be 58sqm. As noted above the accommodation includes a first floor bedroom and shower room with ground floor living area, which is of sufficient size that a kitchenette could easily be added, making the accommodation capable of independent occupation.
- 7.8 However the surrounding environment, being essentially a car park, is not considered a conducive or appropriate location for further residential accommodation. Future occupiers, whether living on an ancillary basis or independently, would be surrounded by vehicles with their car engines, doors banging and fumes of comings and goings at all times of day and night. This environment would therefore be both potentially noisy and suffer from fumes and vibrations that could have an adverse affect on the amenity of future occupiers. The outlook from the unit, and most opening windows, would be over a car parking area and the head of the cul-de-sac, as well as a street light. This poor living environment is considered to be contrary to policy CS16 which requires developments of a high quality design that create places where people want to live and relax, as well as contrary to policy DM18 which seeks to protect future occupiers from pollution.
- 7.9 In addition, by virtue of the buildings relative remoteness from the host dwelling, easy access to the facilities and private sitting out amenity space of the main house by future occupiers would be awkward. Annexes are normally better related to the main dwelling and often within rear gardens and directly share private rear gardens/amenity spaces. The detached siting at the front, in a more 'public' area would necessitate the annexe being locked up every time the occupier wanted to access the main house. The connection to the host dwelling would be more contrived with a poor functional link.
- 7.10 Since the proposed garage conversion could provide all the facilities capable of independent living, then future occupiers would not be reliant on the facilities of the main house and could spend a large proportion of their time in the annexe, surrounded by the poor car park environment, with limited trips to the main house. The proposal is for the applicants son, who it is stated starts work early. As a younger person there would be less of the supporting care that annexes for elderly relatives normally provide, and he could be coming and going completely independently of the occupiers of the main house on a permanent basis i.e. the annexe would not just be

for occasional visitor use, but would be occupied all the time.

- 7.11 Emerging policy H6 specifically relates to Residential Annexes and is a criteria based policy. In this instance the proposal is considered to fail the emerging criteria - the functional connection with the host dwelling would be minimal; it would be capable of independent occupation and would be difficult to control as remaining ancillary; and its siting to the front is such that there is already a demarcation and easy sub-division of curtilage. The supporting text to the policy also states that annexes "should share a common access with the main dwelling", which clearly, this proposal does not by virtue of its detached siting.

(v) Parking

- 7.12 The proposal would result in the loss of a parking space within the garage serving number 15, but 3 car parking spaces are still provided in the hard surfaced area to the front. This would continue to comply with the adopted Parking SPD if the annexe were genuinely occupied on an ancillary basis.

(vi) CIL

- 7.13 As a detached annexe the floor space created is CIL liable. The appropriate forms have been submitted, including annexe relief claim. However, given the recommendation for refusal, the Draft Liability Notice has not been prepared, and could be done so at appeal stage if necessary.

8 Conclusion

- 8.1 Overall it is considered that the proposed development, that would be capable of independent occupation, would not provide a suitable environment and standard of living for future occupiers by virtue of its detached siting to the front of the host dwelling and being surrounded by hard surfacing for the parking of cars. This would be contrary to adopted policies CS16 and DM18 and emerging policy H6.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **REFUSE PERMISSION** for application APP/21/00211

(A) for the following reasons

- 1 The proposed living accommodation would be capable of independent occupation and by virtue of its detached siting to the front, there would be no physical connection and limited functional connection to the existing dwelling house. By virtue of its siting surrounded by hard surfacing used for the parking of vehicles, the resultant living conditions, environment and outlook for future occupiers, would be substandard and future occupiers would suffer from noise, fumes and vibrations, harmful to their amenity. The proposal is therefore considered contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011; policy DM18 of the Havant Borough Local Plan (Allocations) 2014; emerging policy H6 of the Havant Borough Local Plan (Submission version) and the National Planning Policy Framework.

