
Site Address:	21 New Brighton Road, Emsworth, PO10 7PR		
Proposal:	Demolition of existing shed and erection of detached annex in rear garden.		
Application No:	APP/16/00435	Expiry Date:	02/08/2016
Applicant:	Mr & Mrs Hayler		
Agent:	Mr M Farrer	Case Officer:	Emma Chisnall
	MF Designs Ltd		
Ward:	Emsworth		

Recommendation: **GRANT PERMISSION**

1 Site Description

21 New Brighton Road is a detached dwelling constructed of red brick walls with a concrete tiled pitched roof. The dwelling occupies a narrow but long plot on sloping ground from east to west and the amenity space to the front is hard-surfaced for the provision of parking 2/3 cars with screening in place from hedging and fencing. There are also TPO trees present along the front curtilage of No 21 and other dwellings along New Brighton Road.

The rear of the dwelling is hard-surfaced in part and there is an existing conservatory attached to the rear of the dwelling. There is an existing shed positioned along the south boundary as well as a hot tub located next to a good specimen willow tree. The rest of the amenity space is lawn and the boundary around the curtilage is mainly high level hedging approximately 2m high as well as timber screening with trellis.

2 Planning History

02/66608/001 - Extension at first floor level over part of existing rear extension, and addition of pitched roof over remaining part of existing rear extension., PERM,02/04/2002
01/66608/000 - Proposed second storey rear extension, REF,16/11/2001
03/66608/002 - Conservatory to rear., PERM,10/12/2003

3 Proposal

Demolition of existing shed and erection of detached annex in rear garden.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Local Plan (Core Strategy) March 2011
CS16 (High Quality Design)

Havant Borough Local Plan (Allocations) July 2014
AL1 (Presumption in Favour of Sustainable Development)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

FAO Mr P Marshall, Development Engineer Comment:

The highway authority has no objection to the principle to this application. No additional parking will be required as long as the extension remains ancillary to the use of the existing dwelling.

Southern Water Comment:

Please find attached a plan of the sewer records showing the approximate position of a public foul and surface water sewer within the site. The exact position of the public sewers must be determined on site by the applicant before the layout of the proposed development is finalised.

Please note:

- No development or new tree planting should be located within 3 metres either side of the centreline of the public foul and surface water sewer and all existing infrastructure should be protected during the course of construction works.
- No new soakaways should be located within 5 metres of a public sewer.

Due to changes in legislation that came into force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served and potential means of access before any further works commence on site. The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 03303030119) or www.southernwater.co.uk.

Southern water requires a formal application for any new connection to the public foul and surface water sewer to be made by the applicant or developer. We request that should this application received planning approval, the following information is attached to the consent: "A formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 03303030119) or www.southernwater.co.uk

It is the responsibility of the developer to make suitable provision for the disposal of surface water. Part H3 of the Building Regulations prioritises the means of surface water disposal in the order

- a) Adequate soakaway or infiltration system
- b) Watercourse
- c) Where neither of the above is practicable sewer.

Arboricultural Officer Comment:

No tree removal is required to facilitate this project. The supporting arboricultural evidence is comprehensive and provided that the methodology prescribed in this MS & TPP report is strictly adhered to the Willow tree will survive the development unscathed and to continue to grow on safely and healthily in the future. Therefore I have no objections to this scheme in arboricultural terms.

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: 1

Summary: A complaint has been received regarding the visual impact the proposed annex would have. There is concern the windows would appear obtrusive and that the solar panels would create an un-pleasant outlook. Concern was also raised in regards to potential damage to the boundary and potential issues in relation to the Party Wall Etc Act.

Officer Comment: The majority of comments made will be discussed within section 7 of this report under 'Planning Considerations' however in regards to the concern over the potential damage to the shared boundary and Party Wall Etc Act this would be a civil matter that would be required to be discussed between neighbours and is therefore something that could not be considered or commented upon under planning considerations.

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 of the area
- (iii) Impact upon residential amenity

(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 development meets the principal requirement and is being proposed in order to house an elderly relative of the applicant so that care can be provided. The proposed annex will still depend on the main dwelling for cooking and washing facilities and would therefore be ancillary to No 21. A condition will be included to ensure the same use is maintained in future and that the annex remains ancillary so that there is no risk of it becoming a separate accommodation used by anyone else.

(ii) Impact upon the character of the area

The proposed annex is to replace the existing shed in the rear amenity space of No 21. This amenity space is hidden from the public realm and would not be viewable from the streetscene. The design of the annex is considered sound and due to its size and position within the curtilage of No 21 it is not considered to appear bulky or obtrusive to the streetscene. The material proposed as timber cladding is considered

to not appear out of place and is fairly typical of this type of development. Therefore it is considered that the proposed works would not detract significant character from the area and can be considered acceptable.

(iii) Impact upon residential amenity

It is considered that No 21 New Brighton Road has the amenity space available to accommodate the proposed annex development. The garden space of the dwellings along this road are typically long and narrow however the annex will be set in a position off the shared boundary to the south and away from the boundary to the north.

An objection was raised by the residents of No 19 with concern that the proposed annex would appear over-bearing, that the proposed windows would appear obtrusive and well as the solar panels. A site visit was carried out to No 19 in order to assess the impact the annex would have and it was noted that from the viewpoint of No 19 the annex would appear prominent but not necessarily obtrusive. However, actions were taken to reduce this impact and plans were amended that set the annex closer to No 21, the height was reduced and the annex was proposed to be set lower in the ground level meaning the height was reduced further. Although this offered improvements to reducing the concerns of No 19 the same objection was made again.

This proposal has been assessed and due the efforts that have been made to reduce the size of the annex coupled with the development being set away from the boundary and closer to the home and that adequate screening is in place, it appears the level of harm caused by the development is minimal and not significant enough to consider a refusal. The proposed windows are high enough they could not be looked out of so they would not lead to any over-looking nor compromise the existing privacy between the neighbouring dwellings. The solar panels are not considered to be obtrusive nor visually offensive and in terms of increasing sustainability are looked upon favourably as a welcomed addition to the development. Due to the position of the annex it is not considered it should impact light levels nor create shading to No 19 so therefore the development is considered to be acceptable.

The neighbouring dwelling to the north of No 21 should not be significantly impacted by the proposed development due to the distance it is set away from the boundary and the adequate screening that is in place in order to reduce and prevent any over-looking and loss of privacy to the residential amenity. The development can therefore be considered to be acceptable.

8 Conclusion

No 21 New Brighton Road has adequate amenity space for the proposed annex. The space available should ensure that there is only a minimal loss to the residential amenity of the neighbouring dwelling and a minimal impact to the character of the area. Therefore the proposal is considered to accord with the requirements of the adopted Local Plan (Core Strategy) policy CS16 and can be considered acceptable for approval.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/16/00435 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 Compulsary Purchase Act 2004.

- 2 The external materials used 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.

- 3 The accommodation hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of the existing dwelling and shall not be used as a separate unit of accommodation and retained as such thereafter.

Reason: The unit of accommodation 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 development hereby permitted shall be carried out in accordance with the following approved plans:

Location and Block Plan: Revised Drawing No P_02A

Proposed Ground and Side Elevations Plan: Revised Drawing No P_01A

Reason: - To ensure provision of a satisfactory development.