
Site Address:	45 Hulbert Road, Waterloooville, PO7 7NX		
Proposal:	Change of use of public amenity land to private amenity land and erection of 1No. log cabin for ancillary living accommodation (granny annex).		
Application No:	APP/15/00664	Expiry Date:	31/08/2015
Applicant:	Mr K Hamilton	Team:	Team 2
Agent:		Case Officer:	Tina Pickup
Ward:	Waterloo		

Recommendation: **GRANT TEMPORARY PERMISSION**

1 Site Description

45 Hulbert Road is the northern most dwelling at the end of a cul-de-sac of a line of similar chalet style dwellings. The land slopes up to the east such that the dwellings are built on the slope and utilise this change in levels by having integral basement garages with steps up to their 'ground' floor including front raised terrace. The chalet dwellings all have gable ends with three small dormers in their front roofslope and the visual variation in the streetscene comes from a mix of bricks - some are red, some brown and some buff - the application site is buff brick beneath a dark plain tile roof.

Being the northern most dwelling at the head of the cul-de-sac the site benefits from a larger site ie it extends forwards (west) further than others. Access is taken from the head of the cul-de-sac straight into a hardsurfaced area which also leads to the basement garage. The original residential curtilage of the site was triangular in shape and the northern boundary ran relatively close to the end of the dwelling. The land beyond was originally part of the Church grounds to the north off the London Road (Sacred Heart Church). This parcel of land has now been bought by the applicant, the boundary removed and included as part of an extended garden - currently left as grass with some children's play equipment. This parcel of land measures approximately 90m x between 25m and 33m and includes a dense mature tree belt on the northern boundary (which are TPO'd), a ditch/stream running north-south along the western edge in a wooded area. The land slopes steeply and is 'banked' ie there are steep bits, then plateaued more level bits, before rising again - one slightly more level area is adjacent the existing dwelling.

2 Planning History

There is no recent planning history however historically applications have been submitted for additional dwellings on this land - 89/50245/2 (2 dwellings - refused), 91/50245/005 (outline for 1 - permitted) & 98/50245/006 (outline -refused) - these were primarily refused for tree reasons - proximity to TPO'd trees and future pressure on those trees.

3 Proposal

The proposal relates to the change of use of the former church land to become part of the residential curtilage of No 45 and then to site a log cabin on this land as ancillary accomodation. The log cabin would measure 18.2m long x 5.9m wide with an eaves height of 2.34m and ridge height of 3.4m.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Local Plan (Core Strategy) March 2011

CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS21	(Developer Requirements)
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)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

and Residential Parking and Cycle Provision SPD, March 2010

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist -

Environmental Health Manager, Community Group - septic tank unlikely to be acceptable in this location better to secure a connection to the public system

Development Engineer - Highways - am treating as a application for a new residential dwelling on land adjacent to 45 Hulbert Road with access taken from 45. No adverse comment on this application provided a plan is submitted showing the route of the driveway through 45 to the public Highway. I would suggest to the Planning Authority that they condition the provision and retention of two parking spaces plus cycle facilities in order to accord with the HBC car parking standards

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: 16

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 0

Summary:

Comment:

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) Use of Cabin/annexe
- (iii) Impact upon the streetscene
- (iv) Impact upon residential amenity
- (v) Impact on TPO'd trees
- (vi) Highways & Drainage
- (vii) CIL & SDMP contributions

(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. Policies CS17 and AL2 support development in urban areas and whilst this is a large undeveloped green space it is nevertheless within the urban area. Therefore the principle of developing it is acceptable in principle. The proposal is not for an additional dwelling but rather for an ancillary log cabin to be occupied by a relative of No 45. On this basis the application site relates to the whole of the existing curtilage of 45 and the recently purchased land and this site area would remain as a single residential curtilage.

The proposed log cabin would be constructed of timber with double glazed units. By its very nature it is not necessarily a permanent structure with lifetime longevity. The timber will need treating regularly to maintain its condition. Therefore it is not considered appropriate to grant a full permanent permission and instead a temporary permission to reflect the likely lifespan of the structure would be more appropriate - eg 5 years initially.

(ii) Use of Cabin/Annexe

The proposed log cabin is intended to be occupied by the father/parents of No 45 who intend to occupy it whilst providing support to the family by providing child care and living as one extended family. The terms of the application are therefore as ancillary accommodation and the occupancy can be conditioned as such. In this instance, as a detached structure the cabin does contain all facilities ie kitchen and bathroom and is therefore capable of being occupied independently. However due to the large site within the urban area it would not necessarily be inappropriate as an independent dwelling - but a future planning application would be needed to formally assess the impact of this. This application is being determined on the basis that the cabin will be occupied by relatives of No 45 as ancillary accommodation with a degree of sharing trips/visitors/care etc

(iii) Impact upon the streetscene

The proposed siting of the log cabin would be approximately aligned with No 45 and the other dwellings - it is however longer/deeper and would therefore project forward of No 45. Additional plans have been provided showing the contours of the site and the finished floor levels relative to No 45. It is clear that the finished floor level of the

cabin would be set at the natural ground level at its mid-way point such that the rear of the cabin will have to be dug in slightly and the front raised up. This repeats the concept of the line of dwellings which are raised up above basement garages. Due to the low profile of the log cabin it will sit lower than the ridge of No 45 (by some 4.8m) so will appear subservient. Since views from the public domain are only possible from the head of the cul-de-sac due to a high brick wall that forms the southern boundary of the site, and views into the site are only through the open drive and hence very limited. Overall the position and siting of the log cabin is considered visually appropriate in street scene terms.

(iv) Impact upon residential amenity

The proposed cabin sits to the north of No 45 and therefore buffered away from the nearest other dwellings in Hulbert Road. The other boundaries are well screened with trees and the site of sufficient size for the proposed use not to have any adverse effect on adjacent residents.

(v) Impact on TPO'd trees

Past planning applications have been refused for development on parts of this site due to the impact on protected trees. However an Arboricultural Report has been submitted with this application and due to the siting of the proposed cabin away from the trees there is considered to be no harm to the trees or future pressure to fell any of the trees.

(vi) Highways & Drainage

Additional plans have been provided showing that the driveway can be extended in front of the cabin to provide additional on site car parking. Considering the proposal though is based on being ancillary accommodation as one residential curtilage, there would not be the need to provide separate parking for the cabin, just sufficient spaces for the total number of bedrooms in the combined house (45) and cabin. The cabin represents an additional 2 bedrooms on site so is likely to trigger the need for 1 additional space - there is plenty of space on site to provide this and the necessary cycle storage (there is an existing shed). Accordingly the proposal meets the Residential Parking and Cycle Provision SPD.

With respect to drainage the comments of Env health have been noted and the applicant has agreed to connect to the public sewer system. The appropriate Informative will be added to the decision notice.

(vii) CIL & SDMP contributions

As new habitable accommodation over 100sqm the log cabin is CIL liable - The CIL rates to be applied to development are set out in the Havant Borough Community Infrastructure Levy Charging Schedule, which was adopted by the council on the 20th February 2013. This followed two public consultation exercises and an Examination into the Charging Schedule by an independent Examiner. The Examiners Report concluded that the Havant Borough Council Community Infrastructure Levy (CIL) Charging Schedule provided an appropriate basis for the collection of the levy in the borough. The levy is charged at £80 per square metre on new floorspace (measured as gross internal area) in Waterlooville.

The gross new internal floor space for the dwelling totals 11.48 sqm which generates a total CIL liability of £8,918.40. The applicant has been advised of this figure and the necessary Assumption of Liability forms have been returned. The applicant is claiming

the self build exemption and has submitted the appropriate forms.

With respect to potentially increasing recreational pressure on the Solent SPA, Natural England's advice in regard all new housing development within the agreed zone is that it is likely to have a significant effect on the SPA - Policy DM24 of the Allocations Plan requires a contribution to mitigate against this pressure. However, in this instance, the application is submitted as ancillary annexed accommodation only and therefore a 'new residential unit' is not created - accordingly there is no SDMP contribution required with this application. Should the cabin ever be severed from No 45 and occupied independently or a further application for a new dwelling submitted, then at that stage in the future the appropriate payment would become necessary.

8 **Conclusion**

As ancillary accommodation the proposed log cabin is considered a suitable development of this urban site that will have no adverse impact on either the street scene or adjacent residential amenity. It is therefore recommended for a 5 year temporary permission to reflect the temporary nature of the structure proposed.

9 **RECOMMENDATION:**

That the Executive Head of Planning and Built Environment be authorised to **GRANT TEMPORARY PERMISSION** for application APP/15/00664

(A)

(B) subject to the following conditions

- 1 This permission shall be for a limited period expiring on 31st August 2020, on or before which date the cabin hereby permitted shall be permanently removed from the site and the land shall be restored to domestic curtilage unless the prior written consent of the Local Planning Authority has been obtained in writing for a further period.
Reason: The building is of a type not considered suitable for permanent retention and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 2 The cabin hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of the existing dwelling at 45 Hulbert Road and shall not be used as a separate unit of accommodation, nor shall the building be enlarged or extended without the prior written approval of the Local Planning Authority and this condition shall apply notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order.
Reason: To enable the Local Planning Authority to maintain control over the separate occupation of the cabin or its enlargement which may be out of keeping with and harmful to the character of the area, having due regard to policies CS16 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 3 The cabin shall be constructed and laid out in accordance with the additional

Survey Drawing No 13212 S2 having a finished floor level of 33.40, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to maintain control over the finished level and visual impact of the cabin, having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 4 The development hereby permitted shall be carried out in accordance with the following approved plans:

Arboricultural report by Johnston Tree Consultancy dated May 2015

1:1250 Site Location Plan

1:500 Site Plan

1:500 Site plan showing driveway parking for 3 cars dated 12/8/2015

Survey Drawing Proposed Cabin Drawing No 13212 S2

Cabin Scheme floor plan & elevation Drawing No CL.15.016 01 Rev A

Cabin Scheme elevations Drawing No CL.15.016 02

Reason: - To ensure provision of a satisfactory development.