

Planning Design and Access Statement

Erection of Ancillary Outbuilding in Rear Garden

Flat 2, 105 Havant Road,
Emsworth,
Hampshire,
PO10 7LF

June 2015

Havant Borough Council

1092/CMOW/v1

www.plainview.co.uk

Contents

1. Introduction	2
2. Site Context	2
Site Designation	2
Flooding	2
3. Planning History	4
4. Policy Analysis	4
Use	5
Layout/Siting	5
Scale	5
Arboriculture	5
Appearance	6
Access	7
Amenity	7
The NPPF	7
5. Material Considerations	8
6. Conclusion	9
 Figure 1: Local Plan Policies Map	 3
Figure 2: Environment Agency Flood Map	3



1. Introduction

- 1.1 This Planning, Design and Access Statement has been produced to support a planning application seeking the erection of a pre-fabricated outbuilding for ancillary use.
- 1.2 The use of the outbuilding will be as a hobby room and therefore will be ancillary to the main dwelling. The studio will not contain primary residential features, such as a kitchen or bedroom.

2. Site Context

- 2.1 The site is located on the northern side of Havant Road; the property itself is a large two and half storey detached dwelling. The property has been converted into two flats much like many of the dwellings down this road due to their size. This application relates to flat two which occupies the first and second floors and the rear section of the garden.
- 2.2 The rear garden is split into two in order to provide private amenity space for each flat. The curtilage of the site is well defined by mature vegetation and domestic fencing which in turn provides an effective natural screen and increases privacy to the rear garden.

Site Designation

- 2.3 The site is not bound by any restrictive designation according to the Local Plan proposal map. (Please see figure 1).

Flooding

- 2.4 Planning Policy requires that any planning application is mindful of the risk of flooding. The Environment Agencies flood maps indicate that the site is within an area that is not at risk of flooding. (Please see figure 2).

Figure 1: Local Plan Policies Map



Figure 2: Environment Agency Flood Map



3. Planning History

3.1 For the benefit of this application, the planning history for the property has been examined. Please find below all recent and relevant applications for this property;

- **Ref: APP/14/01180.** Application: Erection of a pre-fabricated timber granny annexe for an ancillary residential use. **Decision: Approved Planning Application.**
- **Ref: APP/10/00245.** Application: Removal of Condition 12 of Planning Permission 98/54314/006 to remove the age restriction of occupants. Addition of 2 No. New parking spaces. **Decision: Approved Planning Application.**

4. Policy Analysis

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that decisions must be made in accordance with relevant Development Plan Documents and national policies, unless material considerations indicate otherwise.

4.2 The Policies examined for the purposes of this application include policies from Havant Borough Core Strategy (2011), National Planning Policy Framework (NPPF) and any relevant supplementary planning guidance. These policies are;

- CS16 – High Quality Design
- DM8 – Conservation, Protection and Enhancement of Existing Natural Features
- Borough Design Guide SPD

Use

- 4.3 The building is intended for the use as a hobby room and will be used solely by the properties occupiers.
- 4.4 The proposal will be dependent on the main building. There are no sleeping or kitchen facilities included. Electricity will be connected from the dwelling to provide lighting and power and small lavatory will be installed. The level of facilities included within the outbuilding indicate a clear subordinate relationship with the dwelling

Layout/Siting

- 4.5 The proposed outbuilding is to be sited within the garden of flat 2. It is considered that due to the surrounding vegetation and border treatments this position will have the least impact on neighbouring amenity.
- 4.6 The proposal would have no greater impact upon the surrounding area than any permitted residential paraphernalia.

Scale

- 4.7 Consideration has been given to the design of the outbuilding in order to keep the size to the minimum, while still providing a usable and comfortable space.
- 4.8 The size and scale of the proposed outbuilding has been specifically considered to reflect the relationship of the ancillary buildings in the surrounding area and their host dwellings. Being single storey, it would have a clear subordinate appearance to the original dwelling and surrounding properties in terms of mass and scale.

Arboriculture

- 4.9 According to Havant Borough Council, a number of the trees surrounding the proposed development site in the rear garden are protected by TPOs. Consequently, due to the sensitive nature of these trees, the impact of the development on the roots and trees themselves has been examined.

4.10 The proposed development will utilise the existing paving in the rear garden as the foundations. Therefore there will be no need to dig foundations, which otherwise might have harmed the roots of the protected trees.

4.11 In regards to the trees themselves, the granny annexe permitted previously in March 2015 (Ref: APP/14/01180) for the same site undertook an arboricultural impact appraisal in regards to these concerns.

4.12 The assessment stated;

The proximity of trees offers sufficient clearance to the proposed annexe. In general the trees on the site will complement the development and aid its integration into the local area. No containment pruning is required or expected.

4.13 Due to the residential nature and the size of the permitted granny annexe, it is considered that this form of development would possibly have had a greater impact on the landscape in comparison to the minor nature of the proposed lodge, especially with regards to visual impact and the need for greater foundations.

4.14 Furthermore, the proposal is 33% smaller in comparison to the previous permitted annexe. Therefore it is considered that the previous arboricultural appraisal which concluded that there would be no harm can also apply to this proposal.

Appearance

4.15 A great deal of consideration has been given to the materials used in the construction of the outbuilding. The materials proposed are sympathetic to the surrounding area and reflect the local character in appearance in order not to be overbearing, while maintaining a subordinate appearance to the dwelling. Please see supporting plans.

FOUNDATIONS – Use of the existing patio

ROOF CONSTRUCTION - Single ply EPDM roofing system (20 year guarantee, 50 year expected life) finished with black plastic rainwater guttering

JOINERY - 4.8m wide x 2.03 high 6 sash bi-fold door with 1 x single lead opening door
Powder coated aluminium finished in anthracite grey with matching ironmongery

EXTERNAL CLADDING - Western Red Cedar (no maintenance) T&G external timber cladding with fire retardant paint applied to three sides due to proximity to boundary

- 4.16 The new ancillary building will also have a blanket of Sedum professionally placed on its roof. This is to ensure the green visual character of the rear garden remains from the second floor of the property and for any neighbouring properties overlooking the garden.

Access

- 4.17 The only access into the outbuilding will be through the current access to the garden. There would be no separate highway access or need to make any alterations to the existing access point.

Amenity

- 4.18 The proposed outbuilding would be a single storey building set within the curtilage. The principle doors and windows would look out onto the curtilage of the application site. The proposed scheme would not cause any overlooking issues.
- 4.19 Due to the reduced scale of the outbuilding in comparison to the previously permitted annexe, the rear garden would also have increased amenity space for the residents.

The NPPF

- 4.20 NPPF states in paragraph 14 that:

"Planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF as a whole."

- 4.21 The proposed scheme meets the requirements of the NPPF with specific regard to:
- Improved living Space (see para 57 of NPPF)
 - A safe, secure and enjoyable garden (see para 53 of NPPF)
 - Improving an area of the garden which is currently unused, and improving the living conditions of applicant (see para 9 of NPPF)
- 4.22 The NPPF encourages the design of new development to be of a high standard and contribute to sustainability. Clearly the use of natural environmentally friendly materials heeds this advice.
- 4.23 The garden studio's contemporary design represents the highest standard of garden architecture and should be commended. The studio is clearly compliant with the principles and guidance contained within the NPPF.

5. Material Considerations

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that the determination of planning applications must be made in accordance with the development plan unless material considerations indicate otherwise.
- 5.2 It has been held at the High Court that applicants for planning permission should expect consistency in decision making. This is made abundantly clear in the High Court decision, *Poundstretcher Ltd, Harris Costs Decision Queensway plc v. Secretary of State for the Environment and Liverpool City Council* (1989) JPL 90.
- 5.3 In *Roberts v Brent Council* [2008] EWCA Civ 982 Lord Justice Richards usefully summarises the precedent effect:

"The point about precedent effect as set out in the case law of which Poundstretcher forms a part is that the grant of permission for a particular form of development on one site in an area may make it very difficult to refuse permission for the same form of development on other sites in the area if the circumstances are the same, in part because of the importance of consistency in decision-making. Thus the grant of

planning permission on the one site may have wide consequences for the area as a whole"

- 5.4 Whilst we appreciate applications should be judged on their individual merits, the Council had previously permitted a granny annexe on the exact same site in March 2015, this would suggest the council accept in principle an outbuilding in that part of the curtilage is acceptable
- 5.5 We consider these precedents to form a strong material consideration, thus we respectfully ask the council to give this due weight in the decision making process.

6. Conclusion

- 6.1 The Development of an ancillary outbuilding at the application site conforms to both national and local planning policy.
- 6.2 With regards to the site specific matters, the proposed scheme has ensured that:
- The use of the outbuilding will be ancillary to the main dwelling;
 - The appearance and scale of the outbuilding would appear subordinate to the main dwelling;
 - The design, appearance and use of materials is appropriate within its setting;
 - There is no loss of privacy by overlooking neighbouring properties; and
 - There is no overbearing impact upon neighbouring dwellings.
- 6.3 We trust you have all the information you need to make a prompt and positive determination. Should you require any additional details please do not hesitate to contact us.



PLAINVIEW

Planning. Strategy. Design.

www.plainview.co.uk

contact@plainview.co.uk

Feedback

At Plainview Planning we want to help LPA and Inspectorate staff to process our applications and appeals as easily as possible.

In an effort to improve our documentation and processes, we are inviting feedback from all LPA and Inspectorate case officers via a very short online feedback form. All submissions are anonymous.

Go to www.plainview.co.uk/submissions to let us know what you think about our applications or appeals.

Thank you.

Copyright

The contents of this document must not be copied or reproduced in whole or in part without the written consent of Plainview Planning Ltd.

Copyright © Plainview Planning Ltd. All Rights Reserved

Registered Office: 42 Clarence Street, Cheltenham, GL50 3PL. Registered in England and Wales No. 06563374