

Section 55 of the Town and Country Planning Act 1990
Design and Access Statement

Demolition of existing stables. Construction of detached,
single storey annex to provide ancillary living
accommodation.

Meadow Lea, Hambledon Road, Waterlooville, PO7 6XB

1. Introduction

- 1.1. This Design and Access statement has been prepared to support the following proposal:

Demolition of existing stables. Construction of detached, single storey annex to provide ancillary living accommodation. Meadow Lea, Hambledon Road, Waterlooville.

- 1.2. The application follows the refusal of an earlier application for a detached annexe which was refused in December 2013 for the following reason:

The proposed development by reason of its physical detachment, parking and access arrangements and self contained nature and level of accommodation is considered tantamount to a separate unit of accommodation, which would materially detract from the appearance and character of the area. Furthermore, the proposal would constitute a cramped and contrived form of development and over intensive use of the site, creating likely additional activity, noise and disturbance which would have an adverse effect on the amenities of both existing and future occupiers of the site and the neighbouring property. As such the proposal would be contrary to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

APP/13/01102 refers

2. Site Context

- 2.1. Meadow Lea is located on the west side of the B2150, Hambledon Road, Waterloooville and consists of one half of a semi-detached pair of two-storey houses.
- 2.2. The house consists of a 3-bedroom house, with a long garden to the rear. It has been extended ot therear by the addition of a small conservatory.
- 2.3. At the need of the garden are former stables and workshop, which are now used for ancillary storage.
- 2.4. Meadow Lea enjoys vehicular access directly off Hambledon Road
- 2.5. The adjoining property, Benall, has been extended to the eastern side to provide a 5-bedroom house.
- 2.6. The pair of properties lie approximately 0.05 km north-west of the town centre of Waterloooville. They historically lay outside the built-up area of Waterloooville, but the land to the west and north of the property now forms part of the West of Waterloooville Major Development Area.
- 2.7. Development adjacent to Meadow Lea has now commenced and an access road formed alongside the property.
- 2.8. Waterloooville lies to the north of Portsmouth on the A3.

3. Policy Framework

National Policy

- 3.1. The National Planning Policy Framework (NPPF) became the primary national planning policy guidance on 27 March 2012. It replaced the previous PPS/PPG system of guidance documents and deleted a significant proportion of planning policy including the Regional Spatial Strategies (RSS). The NPPF includes transitional arrangements for Local Authorities to either prepare a plan that would be NPPF compliant or adapt an existing post 2004 plan to be compliant.

Implementation of the NPPF

- 3.2. Paras 214 to 216 of Appendix 1 give relevant advice stating:

214. For 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with this Framework.

215. In other cases and following this 12-month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

216. From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

Sustainable Development

- 3.3. Paragraphs 6 and 7 of the NPPF sets out the Governments overriding objectives of securing sustainable development. Para 7 of the NPPF identifies the roles of the planning system in achieving sustainable development. Para 7 states:

There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- *an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;*

- *a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and*

- *an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.*

- 3.4. Para 14 goes on to provide further emphasis on the focus towards sustainable development stating:

At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For plan-making this means that:

- *Local planning authorities should positively seek opportunities to meet the development needs of their area;*

- *Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:*

- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*

- *specific policies in this Framework indicate development should be restricted.*

For decision-taking this means:

- *approving development proposals that accord with the development plan without delay; and*

- *where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*

- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*

- *specific policies in this Framework indicate development should be restricted.*

- 3.5. Section 7 of the NPPF sets out the government's aspirations for requiring good design. Para 58 is particularly relevant and states:

Local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics. Planning policies and decisions should aim to ensure that developments:

- *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- *establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;*
- *optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;*
- *respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;*
- *create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and*
- *are visually attractive as a result of good architecture and appropriate landscaping*

Local Policy

3.6. The Havant Borough Core Strategy was adopted on 1 March 2011 and sets out local planning policy until 2026. The Strategy sets out a vision for the Borough which it intends to meet by seeking an appropriate balance between protecting the natural and built environment; delivering new economic growth and community regeneration; meeting the social needs of its communities and the prudent use of natural resources.

3.7. In the previous refusal the local planning authority refers only to Policy CS16. This policy CS16 is a generic policy relating to High Quality Design, as the authority does not specify the specific matters in question it is repeated here in full. It states:

Planning permission will be granted for development that is designed to a high standard, which helps to create places where people want to live, work and relax. All development should demonstrate that its design:

1. *Responds to, draws inspiration from and respects local context and:*
 - a) *Identifies and responds positively to existing features of natural, historic or local character within or close to the proposed development site;*
 - b) *Integrates with existing local landscape features, promotes wildlife and biodiversity and/or applies characteristics of the local area into the design of a scheme wherever possible to create variety and interest;*

c) Uses the characteristics of the locality to help inform the design of the new development including heights, massing, existing buildings lines, plot widths and depths, materials and proportions of windows and doors;
d) Is well connected to and integrates with the immediate local area and the wider area by linking to existing pedestrian and cycle routes and encouraging people to use public transport where possible; and
e) The development does not cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking.

2. Produces a positive relationship between buildings, street and spaces both existing and proposed, where:

a) The layout of the development reduces opportunities for crime and antisocial behaviour; contributes to improving community safety; and makes provision for the management and maintenance of the development;
b) New streets are not dominated by vehicular traffic;
c) The layout of the development is legible, meaning it is easy to orientate oneself and move through.

3. Contributes to the improvement of the public realm close to the development, particularly sites close to town, district and local centres and other priority regeneration areas by using high quality hard and soft landscape material and street furniture; and where development is of a significant scale or prominence makes provision for public art.

4. Is inclusive by considering the needs of those with disabilities, ensuring safe and convenient access for all; and integrating affordable and supported housing with market housing through tenure blind design to minimise social exclusion and promote social integration.

5. Maximises opportunities for mixed use developments, particularly in town and district centres; and encourage higher densities (50+ dwellings per hectare) where appropriate.

6. Mitigates negative environmental impacts through sustainable design and construction methods, resource efficiencies, particularly water and the provision of facilities for waste recycling.

7. Adapts to the changing needs of the users and the changing climate over the lifespan of the building.

4. Development Principles

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| <p>4.1. An earlier proposal to demolish the existing outbuildings and replace them with a new annexe was refused in December 2013 for the reason set out in paragraph 1.2 above.</p> <p>4.2. The proposal is to provide additional accommodation at the property for use by family members.</p> <p>4.3. The site is within the developed area of Waterloooville. As such, the proposed development is acceptable in principle, subject to other policy considerations.</p> <p>4.4. <u>Physical detachment</u></p> <p>4.5. Following the refusal the applicants have considered alternative proposals including extending the house to the side but this has been discounted due to the need to retain access to the rear.</p> <p>4.6. Similarly an extension to the rear of the property has been discounted as it would leave the existing lounge without natural daylight.</p> <p>4.7. The proposal is therefore for a detached annexe to the rear of the property,</p> | <p>4.8. While the proposed annexe is situated on the site of the outbuildings the following points are raised as being relevant to its consideration.</p> <p>4.9. <u>Self-contained nature and level of accommodation</u></p> <p>4.10. The level of accommodation has been reduced to the minimum necessary and is effectively two rooms, a living room with minimal cooking facilities, and a bedroom with en-suite.</p> <p>4.11. The intention is that the occupants would have access to and use of the facilities in the main house, but have limited facilities should they wish to prepare light snacks, and similarly would have toilet and washing facilities on hand.</p> <p>4.12. <u>Separate unit of accommodation</u></p> <p>4.13. The intention is that the accommodation would be occupied by a family member who would have access to the facilities within the house.</p> <p>4.14. In preparing the application regard has been had to <i>Uttlesford DC v SSE and White [1992]</i> relating to a 'granny annexe'. In that case the courts found that the Inspector had been correct in concluding (in the circumstances of the case before him) that the garage with living accommodation would remain part of the same planning unit as the dwelling house and that there was accordingly no material change of use.</p> |
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| <p>4.15. The judge further opined, there was no reason in law why self-contained accommodation, to enable an elderly relative (or logically any other relative) to have some independence from the family, should become a separate planning unit from the main dwelling.</p> <p>4.16. In this instance the required family relationship between the occupants of the annexe and the main house would clearly be present.</p> <p>4.17. The limited facilities in the annexe would necessitate use of the main house for the preparation and taking of meals together, as also such activities as sharing the washing machine.</p> <p>4.18. The intention is that there would be one single metered electricity supply and a shared water supply to both the main house and the annexe.</p> <p>4.19. There would remain one access only to the property, serving both the existing house and the annexe.</p> <p>4.20. Taken together the degree of shared services and family relationship would add strength, as matters of fact and degree, on the balance of probabilities, would accrue to the notion of there being just one residential use of the site.</p> | <p>4.21. Reference is made to a recent appeal decision in Dorset at 2 Insley Crescent, Broadstone, a copy of which is attached at Appendices A and B</p> <p>4.22. The appeal related to the conversion of a detached garage to a self-contained dwelling. The Inspector concluded that the proposal would not adversely affect the character and appearance of the area, subject to it remaining ancillary to the residential use of the dwelling.</p> <p>4.23. The local planning authority had refused the annexe as being tantamount to a new dwelling, despite the application being clear that it was specifically for family use. In awarding costs against it the Inspector opined:</p> <p><i>7. ... the design and access statement explains the applicant and his partner have two children aged between 19 and 22 years who wish to move near to them when they finish university, and two elderly mothers who, if they needed care, would also need to be close. Furthermore, this statement refers to the intended sharing of the washing machine/tumble dryer facilities "in the main house".</i></p> <p><i>8. While the physical form of the proposed development simply as shown on the plans would suggest the possible formation of a separate unit of accommodation, the above considerations and the lack of an independent access other than from the enclosed back garden indicate the occupier(s) would not live entirely independently.</i></p> |
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9. Furthermore, a planning condition could ensure the annexe would be occupied ancillary to the existing dwelling, thus overcoming the justified planning objections to use as a separate dwelling.

- 4.24. The applicant would argue that similar considerations apply in this instance, and would be happy to accept a condition along the lines indicated by the above Inspector, as follows:

The annexe hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Meadow Lea, Hambledon Road.

4.25. Character and appearance of the area

- 4.26. The annexe is intended to be built of similar materials, i.e. brick and tiles, to the existing house such that it reads as part of the main property, albeit separated from it.

- 4.27. Until recently the pair of houses has been read as being on the edge of but outside the built up area, surrounded by fields. This character is now changing as the surrounding land is absorbed as part of a major housing development.

- 4.28. Work has started on the housing development immediately adjacent and an access road has been created adjacent to Meadow Lea's western boundary. A copy of the plan of the development is attached as Appendix C

- 4.29. The annexe has been designed so that it faces towards the new access road giving the appearance of a property fronting that street, which will better relate to the intended character of the area.

- 4.30. It is worth noting that an outbuilding of similar position, size and appearance and used for purposes ancillary to the use of the house could be built under permitted development.

- 4.31. Under the Town and Country Planning (General Permitted Development) Order a single storey outbuilding can be erected up to a height of 2.5 metres within two metres of the boundary. The outbuilding could be up to half the area of land around the original house.

4.32. Cramped and contrived

- 4.33. By reducing the size of the annexe and removing the original outbuilding the house and annexe will be read within a larger area of private amenity land.

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| <p>4.34. <u>Additional activity, noise and disturbance.</u></p> <p>4.35. Historically the outbuildings have been used commercially, as a blacksmith's motor repair workshop and currently by the present occupiers as a workshop in association with their saddlery business. These have resulted in activity and visitors to the rear of the property.</p> <p>4.36. Prior to the development of the adjacent housing, the owners of Meadow Lea also kept horses, which were grazed on the adjacent fields, and stabled on the property.</p> <p>4.37. There has always been, therefore, a level of noise and disturbance to the adjacent occupiers, who it will also be noted, also have an engineering workshop to the other side.</p> <p>4.38. The annexe in comparison will only be occupied by family members and as such is not considered to create any additional noise or disturbance than a similar sized property. In reality the level of noise and nuisance should diminish.</p> <p>4.39. The intention is that occupants would have use of the main house for most of the time, however by providing limited cooking and toilet facilities the need for occupants to walk back and forth to the main house is reduced.</p> | <p>4.40. The annexe has been positioned to the north-west side of the property, away from the other half of this pair of semi-detached properties.</p> <p>4.41. Being single storey any overlooking from the annexe is mitigated by the existing fences and planting. It will also be noted the adjoining property has a timber shed to the rear which also screens its garden.</p> <p>4.42. The occupants of Meadow Lea have historically enjoyed access to the fields at the rear to gain access for their horses. A pedestrian access is retained as part of this proposal allowing for separate access to the annexe if required, without accessing it via the house.</p> <p>4.43. Having regard to the above matters it is considered that the proposed development is acceptable in principle, subject to detailed design and amenity considerations by the Local Planning Authority.</p> |
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5. Design Appraisal

Use

- 5.1. The use of the site is unchanged, the proposed annexe will provide ancillary accommodation comprising two additional rooms, a living room, with limited cooking facilities and a bedroom with en-suite.

Amount

- 5.2. The amount of development is restricted to that appropriate for the needs of the occupants of the property while taking into account other design and amenity considerations. The proposed development is sited and designed to ensure that it would not result in a substantive impact on the amenity of the adjoining or surrounding occupiers.

Layout

- 5.3. The layout of the application site remains unchanged. Principal access is taken from Hambledon Road.
- 5.4. The annexe has been re-orientated so that the main door will face the new access road, such that it relates better to the new development adjacent

Scale

- 5.5. The scale of the proposed annexe has been carefully considered. Regard has been given to its relationship to the existing properties, both in design and in remaining subordinate to the main house. The proposed development is considered to relate appropriately to its location and the scale of other buildings within the street.

Landscaping

- 5.6. Existing landscaping comprises the existing fencing and planting to the existing property. It is proposed that the landscaping would remain unchanged as a result of this development, albeit the present fencing, which is in poor repair, would be replaced.

Appearance

- 5.7. The existing house is an older semi-detached property. The adjoining property has been extended at two-storey height to the side.
- 5.8. This proposal seeks to add a small annexe to the rear of the property.
- 5.9. The appearance of the proposed annexe has been designed to match the appearance of the existing house.
- 5.10. External materials would be brick and tile as per the main house.

- 5.11. Having regard to the aims and objectives of the Local Plan and the NPPF it is submitted that the appearance of the proposed development is acceptable in relation to the street scene and the surrounding environment.

6. Access Appraisal

- 6.1. This proposal does not seek to make any alteration to the access arrangement of the site nor does it seek to alter the existing car parking provision to the front of the property.
- 6.2. The existing pedestrian access to the land at the rear will be retained

7. Conclusion

- 7.1. It is considered that the proposed development would comply with the relevant saved policies within the Local Plan and the overarching guidelines within the National Planning Policy Framework.
- 7.2. It is respectfully requested that the Planning Authority grants planning permission for the proposed development.