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|-----------------|-------------------------------------------------------------------------------------|---------------|--------------|
| Site Address:   | Flat 2, 105 Havant Road, Emsworth, PO10 7LF                                         |               |              |
| Proposal:       | Erection of a pre-fabricated timber granny annexe for an ancillary residential use. |               |              |
| Application No: | APP/14/01180                                                                        | Expiry Date:  | 12/05/2015   |
| Applicant:      | Mr P Bukbardis                                                                      | Team:         | Team 2       |
| Agent:          | Mr O Wright                                                                         | Case Officer: | Richard Nash |
| Ward:           | Emsworth                                                                            |               |              |

Recommendation: **GRANT PERMISSION**

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## **1 Site Description**

The application site comprises a generously sized building located on the northern side of Havant Road, east of its junction with Selangor Avenue. Originally a two storey dwelling, the building has been converted into two flats, with additional accommodation having been provided in the original roofspace. Each flat benefits from its own external amenity space and parking/garaging.

The current planning application relates specifically to Flat 2, which occupies the first and second floors of the building and is served by the rear (northern) part of the rear garden. The frontage to the site comprises some parking with a grassed amenity area bounded by planting, including protected trees. To the east side of the building is a private gravel drive, named Chester Close and leading to dwellings to the rear. The two separate garden areas for the flats are bounded by walling and fencing. Further protected trees are located within the garden of Flat 1 and a landscaping bed adjoining the private drive. The area is predominantly characterised by medium density residential land use, although there is an extensive area of open agricultural land on the opposite side of Havant Road, which is located within the Area of Outstanding Natural Beauty.

## **2 Planning History**

None Relevant.

## **3 Proposal**

The current application proposes the erection of a pre-fabricated timber annexe for ancillary residential use to Flat 2.

## **4 Policy Considerations**

National Planning Policy Framework

Havant Borough Local Plan (Core Strategy) March 2011

CS16 (High Quality Design)

DM13 (Car and Cycle Parking on Residential Development)

DM8 (Conservation, Protection and Enhancement of Existing Natural Features)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

## **5 Statutory and Non Statutory Consultations**

Chichester Harbour Conservancy: No Objection.

Arboriculturalist: No tree removal is required to facilitate this project. The supporting arboricultural evidence is comprehensive and provided that the methodology prescribed in the Technical Arboriculture report MS & TPP is strictly adhered to (inclusive of site monitoring works) the lime trees will survive the development unscathed and continue to grow on safely and healthily in the future. Therefore I have no objections to this scheme in arboricultural terms.

Hampshire Fire & Rescue: None Received.

Environmental Health Manager, Community Group: None Received.

Development Engineer - Highways: The red line should extend to Havant Road as Chester Close is not adopted highway.

NB: Plan subsequently amended.

If an age condition was applied then a granny annexe would not require any additional parking. If it is only tied by a condition making it ancillary to the flat then an extra parking standards space is required to conform to HBC parking standards.

Subsequent comment: A personalised approval would be okay.

County Ecologist: Due to the size, location and nature of the proposed granny annexe I would raise no concerns in respect to ecological issues.

## **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: 11

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

**Summary:** The proposed annexe will occupy a substantial proportion of what was hitherto the garden of 105 Havant Road. The development will be situated adjacent to boundary with 107 Havant Road and be easily visible from upstairs windows and rear garden. Existing boundary wall is lower than proposed elevation - thereby changing garden outlook from a 'green' view to a substantial and easily visible construction. This will adversely affect enjoyment of garden and privacy. Infill development of original garden of 105 with houses has already significantly adversely affected outlook from rear of 107. This new proposal erodes the outlook again. Would strongly encourage members of planning committee to visit to appreciate this (sequential) degradation. An improvement on the proposal would be to replace the existing garden wall boundary between 107 and 105 Havant Road with a similar brick wall running to a height of at least 2.5m to conceal the new development from view.

**Comment:** The impact of the proposal on neighbouring amenity is discussed below. The application falls under delegated powers and the case officer has visited the site to assess the impact on the area, and this is considered below.

## **7 Planning Considerations**

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 on the application site and locality
- (iii) Impact on neighbouring 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. Furthermore, the proposal would allow an existing resident and family member to continue living at the property.

The Applicant advises that the building is to be used by his 84 year old uncle who currently resides with him in Flat 2. The flat is laid out over two upper storeys with a separate external access and there is also an internal staircase to the property. The Applicant's uncle is finding the use of the stairs difficult and the proposed annexe would solve this concern and also be beneficial in the event that he might need nursing care in the future, as it would provide a more level access, as well as providing a degree of independence. The use of the annexe would be ancillary to the main dwelling - it is intended that the occupant would be regularly preparing and eating meals in the main dwelling and all laundry would be undertaken using existing household facilities. There would be no separate address, utility meters, garden area or access to the annexe. This ancillary use of the annexe could be controlled by way of a planning condition.

### **(ii) Impact on the application site and locality**

The proposal would not have any material impact in the public domain and would appear as a complementary feature to the main building. The materials proposed on the drawings would be appropriate in this location. There is concern regarding the reduction in external amenity space that would arise. However, as there are no permitted development rights for the flat, any further future encroachment could be controlled. Furthermore, there are particular circumstances in this case, whereby approving the proposal would allow an individual to continue living at the property. Use of a personalised condition would allow the Council an opportunity to review the issue of amenity space at such time as the occupancy might cease. As the proposed occupier is already in residence the proposal should not result in any requirement for additional parking - a personalised condition would again allow for a review of this at an appropriate stage. Protected trees would not be affected by the proposal provided the submitted Method Statement is adhered to.

### **(iii) Impact on neighbouring amenity**

The proposed building would be visible from first floor windows, in particular those of 107 Havant Road to the west. However, these views would be at something of an

angle and the building would be of a scale and appearance that would not be out of context in an urban rear gardens pattern. The building would protrude above the boundary walling, with the result that approximately 500mm of the structure would be visible from the rear gardens of number 107 and Flat 1 at 105 Havant Road. The relative position of the building to the properties concerned is such that a detrimental impact should not arise in terms of shadowing.

Number 107 has a substantially sized rear garden. Approximately 3.4 square metres of the side elevation of the property would face across the access drive of number 107 and on to its rear lawn. It is considered that this limited amount of facing wall would not result in an overbearing impact on the adjoining property. The building would be set further back and thus be better screened from the more limited sized rear garden of Flat 1. The area of visible walling would be limited to approximately 2.5 square metres and it is considered that a reason for refusal relating to an overbearing impact on this garden would be unlikely to be sustainable.

## **8 Conclusion**

The proposed annexe would be acceptable in principle and would not have a detrimental impact on the character and appearance of the application site or locality or on the amenities of occupiers of neighbouring properties. The planning application should therefore be approved.

## **9 RECOMMENDATION:**

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/14/01180, subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted.  
**Reason:** To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

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

0128-08-13/03B (Proposed Site Plan)  
0207-09-14/05B (Proposed Elevations)

**Reason:** - To ensure provision of a satisfactory development.

- 3 The development shall be carried out in full accordance with the Arboricultural Impact Appraisal and Method Statement prepared by Technical Arboriculture and received by the Local Planning Authority on 17 March 2015. All protection measures contained therein shall be undertaken and fully adhered to at all times whilst such implementation is in progress. Any such tree which is nevertheless seriously damaged during that implementation shall be replaced within 6 months of the occurrence of such damage by another of the same species in the same position and of not less than Extra Heavy Standard when planted.

**Reason:** To safeguard the continued health and presence of such existing vegetation and protect the amenities of the locality and having due regard to

policies CS16 and DM8 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework, March 2012.

- 4 The accommodation hereby permitted shall be occupied solely by Mr John Widdop for purposes ancillary to the occupation of the existing dwelling at Flat 2, 105 Havant Road, and shall not enure for the benefit of the land. The accommodation hereby permitted shall be removed from the land in its entirety within one month of the date when Mr John Widdop ceases to occupy the land.

**Reason:** The unit of accommodation has insufficient amenity space and on-site parking to be occupied separately from the main dwelling and would result in a detrimental impact on the external amenity space of the site if retained in perpetuity. Notwithstanding this, the current personal circumstances of the proposed occupier have been given consideration, having due regard to policies CS16 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.