

APP/20/00377 - 8 Kings Road Annex - Objections and Questions

This has been our family home for 43 years. We share our boundaries with 5 other properties and have had good relationships with every neighbour over all those years. We mutually co-operate on maintaining fences, trees, hedges and sheds, permitting garden access where needed, but always with the common courtesy of first explaining what needs to be done.

This sketchy Application for a "Detached Back Garden Residential Annex" on our boundary, without the courtesy of prior warning, contact or explanation is not the action of a potentially co-operative neighbour.

The lack of stated intentions, missing/misleading information and placing the annexe right at our back fence, 1 metre from 11 trees, completes the applicants casual disregard.

Objection – Dangerous Annex Location. The applicant has chosen to place the annex at my fence, yet has not shown on any document, the 11 trees plainly visible within 1 metre of the fence, 5m high, up to 2m overhang. The applicant would cut the roots with his foundation trench, and remove the overhang. This could weaken the trees so much, that a storm from the west could topple one or more trees onto the annex.

Any falling masonry could injure or even kill whoever is in the bed by the wall. Would that be the applicant or his wife, their parents, children, tenants or holidaymakers? The applicant might well be sued. I would not accept liability claims for the consequences of the applicant's choice.

Likewise, if the applicant knowingly chooses to build over live and dead tree roots, I would not accept liability claims from him or his Buildings Insurer (if he can even get the cover) for any subsidence or heave of ground or damage to foundations, floor or services related to the trees.

Annex looks close to 30 Beach Road outbuilding. That required piling for foundations because of roots from previously removed Scots Pines and other trees – talking of which, my trees are....

1 Euonymus right on the boundary. Here longer than us. 5m high, all growth removed on #8 side
10 Leylandii, 1m from boundary, topped at 5m high, currently up to 2m overhang #8 garden
4 large Scots Pines, 1.5m from boundary, felled, stumps showing, dead roots likely in #8 garden
1 Oak, 2m from boundary, 3m high
1 Liquidambar, 2m from boundary, topped at 5m high.
1 Conifer, 6m from boundary, 8m high

Question – Misleading Annex Floor and Site Plans. Imply that there is only just enough space to open the annex door. Annex length is given, so why choose to omit measurements of the plot width, annex width, the gaps between the annex and boundaries? Based on given measurements

Annex Area=35.9sqm Length=10.5m So annex width calculates as 3.42m

Laser measurement between the fences gives a minimum plot width of 5.75m

This suggests a 2 metre gap between annex and number 10 boundary (not 1m as plans imply)? Past applications suggest the applicant will request increases of 1 or 2 metres extra annex width and so bigger annex area sqm. The annex footprint is already nearly as big as the existing house.

Question – What distance between annex and fence required for build and maintenance?

Annex is shown on Annex Floor Plan and Site Plan as being at my boundary.

What gap is required between annex and my fence, to build, render and paint facing side wall without damaging or splattering the fence with render and paint?

I will not grant access to my garden for this, or allow temporary removal of fence panels

Surely Building Regs require 1 metre minimum between the new building and the boundary?

There is space for a 1 metre wide gap/path between the annex and both boundary fences.

Question – What will I actually see at the bottom of my garden? Annex looks over 3 metres on plans? Why no measurement given? 3 metres is maximum for the roof shape? Annex will have grey roof (I won't see) but what is the colour on the rendered facing side wall (I would see)?

Question – Measurements. Architects, Developers and Planning are used to dealing with scale drawings every day, containing no measurements, only a scale. Given small or touch screens, and no wide printer, I cannot be alone in having difficulty interpreting scale plans easily and with enough accuracy. Why does the council not require plans to be supplied with all relevant measures. Architectural software can do this automatically?

Question – “Detached Back Garden Residential Annex” Planning Rules. While Planning Rules for these have been relaxed, I find no evidence of any application for a new build one since then, in the “Block” formed by Kings Road, Beach Road and Warblington Road. Gardens in this block are large, so you would not expect there to be a need for a neighbour's “Detached Back Garden Residential Annex” to be right at your garden fence. If granted here, would all future Planning Applications in the block have to allow it irrespective of garden size - large or small?

Question – “Occupied” CIL Form 1, Table 7b1 appears to claim 8 Kings Road is occupied? I believe it has been uninhabited (and uninhabitable?) since the occupant died over 3 years ago. CIL Form 2 section 2a gives the applicant's address as #8 Kings Road. - he does not live in #8.

Question – Sewage. Garden appears to slope down. Enough drain fall to house?. Will toilet macerations and waste water need to be pumped up to be connected to house drain or sewer?

Questions – Parking. There is no front garden parking shown on #8 plans? #8 frontage is wide enough only for 1 car on the road. I assume applicants' will park their campervan outside #8, as it would not be neighbourly to leave it parked permanently in front of someone else's house / window all year round? I assume applicant's also have 2 cars in addition to their campervan?



The 5 cars on the left are parked in Kings Road outside 26 Beach Road side entrance.

#2 #4 #6 park in their driveways usually
#8 to #30 park in or in front of own garden

Will #8 applicants try to park their 2 cars outside #26? #8 new annex may add yet another vehicle as may any further 1 bed “annexes” subsequently built in the “Terrace”?

Road too narrow for 2 cars to park opposite

When the cars on the left park up as far as #1, and a car is parked at #8, the gap between is just big enough for a car to pass through - not the bin lorry or a fire engine. Double yellows required?

Comment - Where do these 4 Planning Applications (so far) Lead?

Apart from maximising profit, the intended end results of all these applications is unknown to me and to the neighbours in #6 #30 #34. The #10 owner may know what his ex-collaborator intends. Planning.... can actually know, only what #8 has chosen to share with them.

Scenario – Annex could lead to Two “Semi Detached Back Garden Residential Annexes”

Jul 2019 3rd Joint Planning Application 19/00483 by #8 and #10 Kings Road owners

- **2 “timber sheds” (aka “garden rooms”) conjoined over the #8/10 boundary, despite concerns this was an attempt to create residential accommodation(s). Planning was granted with condition “.....not to be used as separate units of accommodation”**
 - o #10 Full width, ground floor extension
 - o #8 Full width, ground floor extension and extension close to #6 boundary

May 2020. #8 owner alone raised this 4th Planning Application 20/00377

- **“New Build Detached Back Garden Residential Annex”,** at our back garden fence
 - o House width extension, built on #8 as is – i.e. not extended as in previous application
- Because of the previous application for “Conjoined Garden Rooms”, I speculate...
- #8 owner expect annex position to be rejected – 11 trees, 1 metre from fence....
- ...and expects to be “left with no option but to place it on #10 boundary” where there are no trees, just a fence, path and grass?. If this is granted.....
- Would #10 owner then request permission for a mirror image residential annexe, conjoined over the #8/10 boundary, citing Jul 2019 decision as precedent? If this is granted...
- Would #8&10 owners then implement Jul 2019, planning permission for #8&10 houses extensions, but with 2 conjoined Residential Annexes in place of the 2 “Garden Rooms”?



#8 back garden to left. Note our trees over the fence
Annex is to be built by the fence beside/under them
#10 garden – note no trees, only path and grass.
Easy build for 2 annexes conjoined over the border

Then how many more such “Residential Annexes” might appear in the Kings Road “Terrace”?

- With rear access along a (muddy when wet) path lined with composters?
- Impacts on 32B and 34 Kings Road, where path exits?
- Future loosening of Planning Regulations, may allow conversion to commercial use?

Scenario – Does the Applicant intend to Self Build

Why would any Property Developer build a small patio and unidentifiable blockwork object at the very foot of the garden, presumably for use by the residential annex for which he has not yet got planning permission, and where the house is uninhabitable? Meanwhile the rest of the garden has looked like a derelict building site for many months, and the house has looked derelict for years..



#8 back garden - only "building" done on #8?
#8 practicing his building skills?

#8 back garden to left. Note our trees over the fence
Annex is to be built by the fence beside/under them
#10 garden – note no trees, only path and grass

#8 Applicant's profession is not a Property Developer – Linkedin and Companies House publicly available data. Is the applicant practicing building skills?

Should the applicant intend to continue his profession full time, and do much of the work himself on the annex at weekends, evenings, holidays and between contracts, with no definite timescale, I would be extremely concerned as to how many years I could be looking at a building site.

If the applicant then becomes unemployed, seriously injured, or runs out of budget, I could be left looking at a part-built annex and abandoned building site, indefinitely, at the bottom of my garden

Does the applicant intend to self-build the annex first, move in, and only then renovate the derelict house – by when? #10 was renovated and let within 1 year of the sitting tenant's death – but by a professional Property Developer

I would request that if Planning is granted for the annex, then the house should be completed to a lettable standard, before the applicant is permitted to even start to dig the annex foundations.