

DELEGATED OFFICER REPORT

PROPOSAL	Detached garden annex proposed to be ancillary to the main house
LOCATION:	330 Middle Park Way, Havant, PO9 5DS
REFERENCE NO:	APP/26/00479
APPLICANT:	Ms Megan Gibb
APPLICATION TYPE:	Householder planning permission
CONSULTATION EXPIRY DATE:	30/07/2026
APPLICATION EXPIRY DATE:	03/09/2026
WARD:	Leigh Park Hermitage
SUMMARY RECOMMENDATION:	Approve with conditions

1. Site Description

This application site comprises a two storey, end of terrace dwellinghouse located on the south side of Middle Park Way. This property is of brick construction with a pitched roof and projecting front porch. There is an area of hardstanding towards the front of the property and to the rear is a private garden. The area is residential in character.

2. Planning History

None relevant

3. Proposal

Detached garden annex proposed to be ancillary to the main house

4. Policy Considerations

In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the Planning Considerations section of the report.

Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS11 (Protecting and Enhancing the Special Environment and Heritage of Havant Borough)

CS16 (High Quality Design)

DM8 - Conservation, Protection and Enhancement of Existing Natural Features

DM13 - Car and Cycle Parking on Residential Development

Havant Borough Local Plan (Allocations) July 2014
AL1 (Presumption in Favour of Sustainable Development)

Listed Building Grade: NA

Conservation Area: NA

5. **Statutory and Non Statutory Consultations**

Cllr Vicky Rhodes – No comment received

Cllr Amy Redsull – No comment received

Cllr Richard Brown- No comment received

Arboricultural Officer

Further to the emails and our Teams meeting, based on the photos (condition) and position of the tree I would suggest that this is not a tree that we would seek to TPO.

However, if it is removed to facilitate development then there will be a loss of canopy cover in the area and we would seek to retain this via a condition for mitigation planting.

If permission is given for this application, please attach the following condition:

A replacement Rowan must be planted in mitigation for the tree to be removed on site and should be a minimum standard with a stem girth of 12cm at the time of planting. The location for replanting of the replacement tree is to be agreed with the Council, with tree planting being undertaken in the first available planting season following removal of the existing tree. If within a period of 5 years from the date of the planting of a replacement tree is removed, uprooted, destroyed, dies or becomes, in the opinion of the local authority, seriously damaged or defective, another tree of the same species as that originally planted, shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

Reason: To conserve and safeguard the visual amenities of the locality having due regard to policies CS16 and DM8 of the Havant Borough Core Strategy (2011) and the National Planning Policy Framework.

6. **Publicity and Community Involvement**

This application was publicised in accordance with the Council's Local Code of Corporate Governance and the Statement of Community Involvement.

Publicity Type	Publicity Details	Start Date	End Date	Reasons
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Neighbouring properties consulted (as defined by the Statement of Community Involvement)

Number consulted: 8

Number of representations: 1

[Redacted], I notice there is no mention of tree removal in the application which would need to be carried out for this work. There is a large tree in the garden where the proposed building will be constructed. As long as the proposed building is single story, does not have windows [Redacted], work noise is kept to a minimum where possible and is kept at the legal distance limit from [Redacted] then I have no objection.

Material planning considerations are addressed in Section 7.

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) Appropriateness of design and impact on the character of the area
- (iii) Effect on neighbouring properties
- (iv) Parking
- (v) CIL and Biodiversity Net Gain
- (vi) Trees

(i) Principle of development

7.2 The application site is located within the defined urban area; therefore, development is considered acceptable in principle subject to development management criteria.

(ii) Appropriateness of design and impact on the character of the area

7.3 This proposal comprises of an outbuilding located in the rear garden of the application site. The outbuilding would have a flat roof with a height of 2.5 metres with a raised lantern rooflight. The outbuilding would have a footprint of approximately 6.6 x 5.4 metres and would allow for a lounge / kitchenette area, bedroom and bathroom. The rooms would be served by a set of doors and a window to the south elevation facing back towards the host dwelling. The bathroom would be served by a high level, obscured window to the side elevation. Proposed materials include vertical timber board cladding in timber finish.

7.4 The outbuilding would be used by an immediate relative of the occupant of the main dwelling who requires familial support. The annexe would not have its own separate access and would share the outdoor amenity space as well as water/ electricity services with the main dwelling. The annexe would have a high linkage to the main dwelling in ancillary use.

7.5 Whilst it is noted that the footprint of the annexe is generous and would result in the loss of garden space, it is also noted that something of the same scale and appearance could be constructed under permitted development which would not require any formal planning permissions. It is the use which requires planning permission in this instance. It is also understood that there was a previous outbuilding in this siting which has since been removed, as well as examples of other outbuildings of a relative scale in the immediate area. With the above in mind, it is considered that the proposed outbuilding in use as an annexe is deemed to be acceptable in its impact on the host dwelling and

the wider character of the area. This is subject to a condition limiting the building's use as ancillary to the main dwellinghouse.

- 7.6 The design and appearance of the proposal is deemed appropriate in context to the main building and is therefore considered to be acceptable, meeting the requirements of Policy CS16 of the HBLP (Core Strategy). It is considered that the scheme would not result in an adverse impact on the visual amenity of the locality.

(ii) Impact on neighbour amenity

- 7.7 To the east of the site is No 332 Middle Park Way. This property is set back behind the frontage of No 330. The outbuilding would be located toward the rear of the site and away from private amenity spaces. It is noted that there would be some level of increased activity from the occupant however a similar level of activity could occur from an incidental use of an outbuilding.
- 7.8 To the west of the site is No 328 Middle Park Way. This property is set back behind the frontage of No 330. The outbuilding would be located toward the rear of the site and away from private amenity spaces.
- 7.9 To the rear of the site is No 14 Cotswold Close. This is a chalet bungalow with a modest rear garden which directly backs on to the rear garden of No 330 and directly adjacent to the proposed annexe siting. It is noted that at 2.5 metres height, this would rise above the fence line (the applicant has confirmed that the rear boundary fence is to be replaced as this was removed and replaced with a lower brick wall at the time of the site visit). However as noted previously, an outbuilding of this height could be constructed without planning permission and therefore this constitutes a relevant fallback position. Therefore, impact is considered to be acceptable to No 14 to the rear.
- 7.10 Consequently, it is considered that the proposal will not appear overbearing or lead to a loss of light, outlook or privacy and would have limited and acceptable impact on the properties immediately adjacent to the application site and the properties opposite or to the rear, meeting the requirements of Policy CS16 of the HBLP (Core Strategy).

(iii) Parking

- 7.11 There are 2 parking spaces on site, and the property has 2 bedrooms. As the bedroom number would be increasing from 2 to 3 there is no further parking allocation required on site as is specified in the Havant Parking SPD.

(iv) CIL and Biodiversity Net Gain

- 7.12 As this annexe is self-contained, this is CIL liable, however exemption is sought.
- 7.13 It is noted that this householder application is exempt from the requirements relating to Biodiversity Net Gain.

(v) Trees

- 7.14 There is a mature tree located at the rear of the site which will be removed for construction to take place. Havant's Arboricultural Officer has reviewed the proposal and has stated that the tree is not of TPO quality. A replacement tree will be required to be planted on site to mitigate against the loss of this tree and a condition has been applied in this regard.

8 Conclusions

- 8.1 The proposed development is acceptable in principle, is appropriate in terms of design and its impact on the character of the area and would have a limited and acceptable impact on the neighbouring properties. On this basis it is recommended for approval.

9. RECOMMENDATION:

That the Head of Planning & Growth be authorised to Approve with conditions for application APP/26/00479

Conditions:

1 The development must be begun not later than three years beginning with the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by 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:

26015 401 REV P3 Proposed plans
26015 101 P2 Location and block plans
Cover letter dated 01.07.2026
Application form submitted 01.07.2026

Reason: To ensure provision of a satisfactory development.

3 The external materials used shall be as indicated on the submitted forms and hereby approved plans, or shall match, in type, colour and texture, those of the existing building so far as practicable.

Reason: In the interests of the amenities of the area and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

4 If the tree is to be removed from site as part of this development a replacement Rowan must be planted in mitigation for this tree and should be a minimum standard with a stem girth of 12cm at the time of planting. The location for replanting of the replacement tree is to be agreed with the Council, with tree planting being undertaken in the first available planting season following removal of the existing tree. If within a period of 5 years from the date of the planting of a replacement tree is removed, uprooted, destroyed, dies or becomes, in the opinion of the local authority, seriously damaged or defective, another tree of the same species as that originally planted, shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

Reason: To conserve and safeguard the visual amenities of the locality having due regard to policies CS16 and DM8 of the Havant Borough Core Strategy (2011) and the National Planning Policy Framework.

5 The accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of the existing dwelling and shall not be used as a separate unit of accommodation.

Reason: The unit of accommodation is not in a satisfactory position and has insufficient amenity space to be occupied separately from the main dwelling and having due regard to policies CS16 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Informatives:

In accordance with Policy DM3 of the NPPF Havant Borough Council (HBC) takes a positive and proactive approach and works with applicants/agents on development proposals in a manner focused on solutions by:

Offering a pre-application advice service, and

Updating you of any issues that may arise in the processing of your application and where possible suggesting solutions, and,

In this instance:

You sought and were provided with pre-application advice,

Your application was acceptable as submitted and no further assistance was required.