

23/00079/FUL

WARD:COPNOR

360 COPNOR ROAD PORTSMOUTH PO3 5EN

CONVERSION AND EXTENSION OF EXISTING GARAGE/ OUTBUILDING TO REAR TO FORM ANCILLARY ANNEXE ACCOMMODATION WITH ASSOCIATED EXTERNAL ALTERATIONS

[23/00079/FUL | Conversion and extension of existing garage/ outbuilding to rear to form ancillary annexe accommodation with associated external alterations | 360 Copnor Road Portsmouth PO3 5EN](#)

Application Submitted By:

Mr Adam Yates

On behalf of:

Mr Adam Yates

RDD: 20th January 2023

LDD: 20th March 2023

1.0 SUMMARY OF MAIN ISSUES

1.1 The application is being presented to the Planning Committee due to the eight objections received.

1.2 The main issues for consideration in the determination of the application are as follows:

- Design and impact on the character of the streetscene
- Impact on neighbour amenities
- Loss of parking
- Amenity
- Impact on Special Protection Areas
- Other material considerations

1.3 Site and surroundings

1.4 The application site comprises a garage outbuilding sited at the rear (east) end of the garden of no.360 Copnor Road, an end-of-terrace two-storey dwellinghouse located to the east of Copnor Road and off the junction with Allcot Road.

1.5 The garage has vehicle access from Allcot Road, and backs on (east elevation) to a shared vehicular access to other neighbours' rear garages/outbuildings .



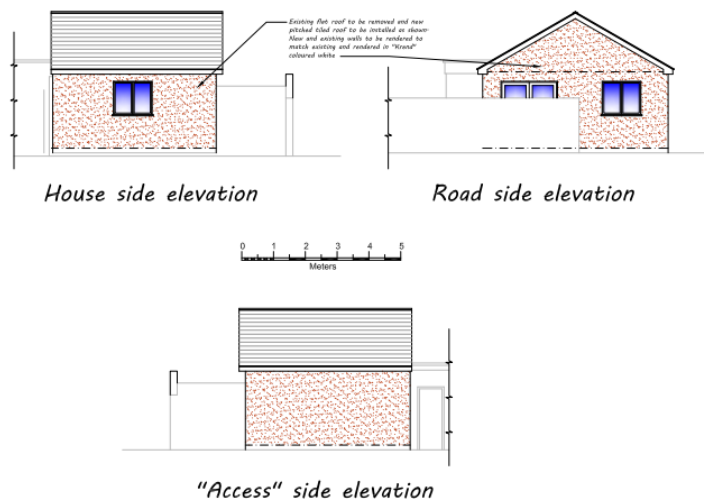
Figure 1: Aerial view of the site (marked by red pin and star symbols)



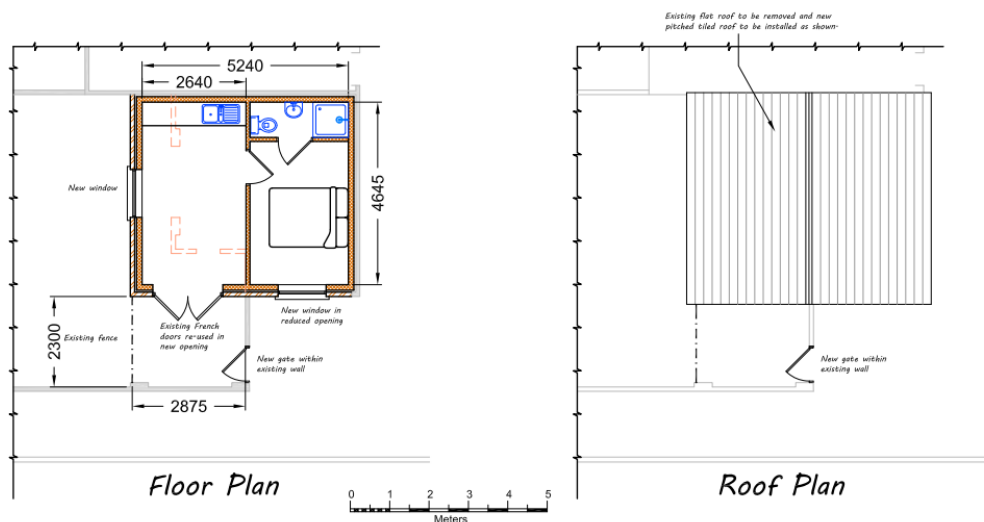
Figure 2: The garage marked by a red star

1.6 The Proposal

- 1.7 The application seeks planning permission for the conversion and extension of the existing garage/ outbuilding to form ancillary annexe accommodation with associated external alterations. It would provide what is commonly called a 'granny annex'.



Figures 3 and 4: Proposed elevation plans above, floor plan below.



1.8 The proposed floor area is approx. 24.5sqm and the accommodation comprises an open plan kitchen-living space and a separate ensuite bedroom. -A new pitched roof would be provided, and the building be finished in render painted white.

1.9 A new access gate would be created within the existing wall, but this would fall under permitted development.

1.10 Planning History

07/00994/FUL- Construction of single storey rear extension. Approved 24/07/2007 and implemented.

2.0 **POLICY CONTEXT**

2.1 In addition to the aims and objectives of the National Planning Policy Framework (2021), the relevant policies within the Portsmouth Plan (2012) would include: PCS17 (Transport), PCS20 (Houses in Multiple Occupation and PCS23 (Design and Conservation).

2.2 Guidance for the assessment of applications that is relevant to the application includes The Parking Standards and Transport Assessments Supplementary Planning Document (2014).

3.0 **CONSULTATIONS**

3.1 Private Sector Housing: The City Council Private Sector Housing team advise that this property would require to be licenced under Part 2, Housing Act 2004.

3.2 Local Highway Authority : no objection

4.0 **REPRESENTATIONS**

4.1 Eight objections, on the following grounds:

- Parking issues
- Loss of existing garden

- The increase in height would cause loss of light for neighbours
- Overlooking
- would set a precedent
- Mechanical works carried out in the garden are disruptive
- Pollution from fumes and noise
- Likely to be an HMO
- Will it be possible to separate the rainwater and sewage, does the soakaway not have to be 5 metres away from either property? (Officer response – this is not a planning matter)

4.2 Non-planning considerations:

- Down-grading of the area
- Council Tax reduction
- Loss of view

One letter of support : current state looks to be a row of garages and not very appealing to the eye, proposal would add character to the area and make for much nicer view.

5.0 COMMENT

5.1 The main issues to consider in the determination of this application are:

5.2 Principle of Development

5.3 The description of development on the application form refers to the conversion of the outbuilding to form ancillary annex accommodation – a ‘granny annex’.

5.4 An outbuilding could be constructed incidental to the enjoyment of the host dwelling under permitted development rights. The proposal is for ancillary ‘granny annexe’ accommodation and there is no in-principle conflict with the adopted Local Plan to prevent this kind of development.

5.5 Design and impact on the character and appearance of the area

5.6 The proposed alterations to the existing garage building would include a pitch roof to replace a flat roof and extension to the side. The scale and design of the resultant building is not considered out of keeping with the character of the host building or of the streetscene.

5.7 Amenity and living standards of future occupiers

5.8 The proposed floor area is approx. 24.5sqm and the accommodation comprises an open plan kitchen-living space and a separate ensuite bedroom. The habitable space would be served by adequately sized windows and thus would have adequate level of natural light and outlook for future occupier. The outlook would be towards the main house and garden.

5.9 The proposed internal floor space of 24.5qm would fall short of the required 37sqm by the Nationally Described Space Standards(NDSS) for a 1bed 1person single-storey unit. However, since this would provide annexe accommodation with the unit sharing some facilities with the host property this would not strictly be required to meet the NDSS standards. To ensure an entirely separate single residential unit does not occur, a condition over the use of the annex would be set.

- 5.10 The existing garden would be retained save for the small section that would be taken up by the extension to the outbuilding. The size of the retained amenity space is considered acceptable for the occupiers.
- 5.11 Impact on neighbour amenity
- 5.12 No.362 Copnor Road is the nearest and the most likely to be affected. This neighbour has a garage attached to the garage the subject of this application.
- 5.13 Given the scale, orientation, separation distance and relationship the proposed building would not have detrimental impacts on the amenities of the adjacent occupiers in terms of overshadowing or loss of light, dominance, outlook and loss of privacy.
- 5.14 Impact on parking
- 5.15 The Local Highway Authority was consulted and they commented that whilst the proposal would result in the loss of one parking space and potentially add additional demand for parking on street, given the intended user and the existing dimensions of the garage being unable to accommodate a modern day vehicle, it is not considered that the proposal would have any detrimental impact on Highway Safety or result in a severe impact to the function of the highway network and therefore no objection would be raised. The Local Planning Authority notes the front garden parking space would remain unaffected and, therefore, parking arrangements overall would remain as existing.
- 5.16 Impact on Special Protection Areas
- 5.17 Whilst it is acknowledged that there are ongoing issues around the effects of new housing on the Special Protection Areas of the Solent, this application is for the provision of annexe accommodation to an existing dwelling house and as such it is not considered to represent an additional dwelling unit. The development would therefore not have a likely significant effect on the Solent Protection Areas or result in an increased level of nitrate discharge.
- 5.18 Human Rights and the Public Sector Equality Duty ("PSED")
- 5.19 The Council is required by the Human Rights Act 1998 to act in a way that is compatible with the European Convention on Human Rights. Virtually all planning applications engage the right to the enjoyment of property and the right to a fair hearing. Indeed, many applications engage the right to respect for private and family life where residential property is affected. Other convention rights may also be engaged. It is important to note that many convention rights are qualified rights, meaning that they are not absolute rights and must be balanced against competing interests as permitted by law. This report seeks such a balance.
- 5.20 Under section 149 of the Equality Act 2010, the Council must have due regard to the need to eliminate discrimination, harassment, or victimisation of persons by reason of their protected characteristics. Further the Council must advance equality of opportunity and foster good relation between those who share a relevant protected characteristic and those who do not. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Having had due regard to the public sector equality duty as it applies to those with protected characteristics in the context of this application, it is

not considered that the officer's recommendation would breach the Council's obligations under the Equality Act 2010.

6.0 CONCLUSION

- 6.1 As detailed above the application is considered to fully comply with the relevant policies of the Local Plan. Having regard to all material planning consideration and representations it is concluded that the proposed development is acceptable and would be in accordance with the relevant policies of the Portsmouth Plan (2012) and the objectives of the National Planning Policy Framework (2021).

7.0 RECOMMENDATION

7.1 Approve subject to the following conditions:

Time limit

- 1) The development hereby permitted shall be begun before expiration of 3 years from the date of this planning permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

Approved Plans

- 2) Unless otherwise agreed in writing by the Local Planning Authority, the permission hereby granted shall be carried out in accordance with the following approved drawings - Drawing numbers:

- 220901 - 01 A - SITE AND BLOCK PLAN
- 220901 - 05 - ELEVATIONS AS PROPOSED
- 220901 - 04 - PLANS AS PROPOSED

Reason: To ensure the development is implemented in accordance with the permission granted.

Ancillary Use

- 3) The proposed development hereby approved shall remain solely ancillary to the main dwellinghouse to which it relates being 360 Copnor Road, PO3 5EN.

Reason: In the interests of residential amenity (occupiers of the building and the host building no. 360 Copnor Rd).