



Appeal Decision

Site visit made on 7 March 2024

by C Butcher BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th April 2024

Appeal Ref: APP/Z1775/W/23/3325250

360 Copnor Road, Portsmouth PO3 5EN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Adam Yates against the decision of Portsmouth City Council.
 - The application Ref is 23/00079/FUL.
 - The development proposed is the conversion of a current double garage to granny annexe.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion of a current double garage to granny annexe at 360 Copnor Road, Portsmouth, PO3 5EN in accordance with the terms of the application, Ref 23/00079/FUL, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 220901-01-Rev A (site and block plan), 220901-05-Rev B (elevations as proposed) and 220901-04-Rev B (plans as proposed).

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of future occupiers, with particular regard to the size of the annexe.

Reasons

3. The proposed development would involve the conversion of an existing garage to an annexe. The plans show that, while the annexe would be relatively small, it would be of a sufficient size to include a living area with a kitchenette and a bedroom with an en-suite bathroom.
4. Given that the annexe would not be a separate dwelling, the Nationally Described Space Standard does not apply. Indeed, the occupiers of the annexe would have access to the spaces and facilities contained within the host dwelling. As such, I am satisfied that the proposed annexe would be of a sufficient size to perform its function and therefore would not result in harm to the living conditions of future occupiers. I conclude that there would be no conflict with Policy PCS23 of the Portsmouth City Local Plan (amended in January 2012), which in part seeks to ensure a good standard of living conditions.

Other Matters

5. The appeal site is close to a Special Protection Area. However, as the proposed development is a residential annexe it would not have a likely significant effect upon those protected areas.
6. A third party has raised concerns with regard to the loss of a parking space. However, during my site visit I observed that the existing garage is unlikely to be large enough to fit the majority of modern cars. Therefore, in reality, the proposal would not result in a reduction in parking spaces. I also note that the Local Highway Authority has not objected to the scheme.
7. There is no reason for me to conclude that the limited additional height of the proposed annexe would negatively impact upon the living conditions of nearby residents. Sufficient garden space would also remain for the occupiers of No. 360. In addition, given that I have found that the proposed development would not lead to harm in any other regard, any consideration of setting a precedent is not relevant. Finally, while some disruption during the period of construction works is inevitable, the very limited scale of development means that this would be minimal.

Conditions

8. I have imposed the standard conditions to identify the relevant timescales and plans in the interests of certainty. A further condition to secure the proposed development as ancillary accommodation is unnecessary as the description of development already describes it as an annexe. As a result, any future proposals to use the building as a separate dwelling would require the Council's approval.

Conclusion

9. The proposed development is in accordance with the development plan when considered as a whole. Having had regard to all matters raised, I conclude that the appeal should be allowed.

C Butcher

INSPECTOR