
Site Address:	The White House, 2 Langstone Road, Havant, PO9 1RE		
Proposal:	Variation of Condition 2 of APP/17/00351 to substitute plans with increased lobby fascia height relative to existing garage and inclusion of chimney flue.		
Application No:	APP/18/00648	Expiry Date:	27/08/2018
Applicant:	Mr R Laly		
Agent:	Mr J Bloomfield	Case Officer:	Daphney Haywood
Ward:	St Faiths		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 2 Langstone Road is a large detached dwelling located on the west side of Havant Road, just south of Langbrook Close. It is of unique design, being a two storey art-deco style dwelling sited within a larger than average plot. The main, original house was two storey white painted, having a flat roof with a water tower and chimneys on the roof. The property has been extended in the past with a large detached garage in the north eastern corner which has a pitched roof with dormers and is used as ancillary accommodation. There is also a large single storey extension projecting along the northern boundary which has 2 parts - the first a traditional design housing a swimming pool, and the second, a modern design guest suite with galleried area above. More recent development works have been undertaken on site pursuant to the grant of Planning Permission APP/17/00351 (see below).
- 1.2 The frontage boundary of the site comprises a distinctive high white painted wall with tiled top. The vehicular gates to the site are wrought iron, located at the southern end. There are two large trees on this road frontage, one within the site and one within the highway verge. A mix of old timber fencing and planting forms the treatment to the remaining boundaries. The site is relatively flat but marginally higher than the properties to the north - which are a mix of two storey detached dwellings and chalet style dwellings. Those to the north in Langbrook Close are set close to the northern boundary having garden depths of only between 8m and 11m, whilst those to the west have garden depths of about 13m.
- 1.3 The site is quite distinctive in street scene terms and known locally as "The White House" - but it is not a Listed building, nor on the Council's list of buildings of local interest, and neither is the site within a Conservation Area. The trees on the site or highway are not covered by preservation orders.

2 Planning History

02/65221/000 - Addition of pitched roof to existing flat roof incorporating dormers into north and south roof slopes and new chimneys., PERM,21/02/2002
04/65221/001 - Two storey rear extension., REF,17/03/2005
08/65221/002 - Discharge of condition 4 of Planning Permission 04/65221/001., PERM,24/07/2008

APP/12/00955 - Dormer window to west elevation of garage., PERM,08/11/2012

APP/13/00290 - Retention of dormer window to west elevation of garage (incorporating 'as built' changes to Planning Permission APP/12/00955)., PERM,20/05/2013

APP/17/00351 - Single storey extensions and creation of second storey including terrace to south elevation.(Approved 07.08.17). Request to discharge conditions 3 and 4 (22.05.18). , PERM,07/08/2017 and undergoing implementation

3 Proposal

- 3.1 Variation of Condition 2 of APP/17/00351 to substitute approved plans with revised drawings to show increased lobby fascia height relative to existing garage and inclusion of chimney flue. APP/17/00351 granted permission for single storey extensions and the creation of a second storey including a terrace to the south elevation. During the course of construction it has been identified that the development, which is now nearing completion, does not comply with the approved plans.
- 3.2 The irregularities in construction when compared with the originally approved plans relate to the details of the existing garage as shown on the approved plans - in particular the height of the existing garage was shown to be greater than built. As a consequence of this, whilst the height of the lobby/study extension as now built and measured on site accords with the dimensions scaled from the approved plans, the relationship of the lobby (as now built) with the garage is different in that it intersects with the garage *above* eaves height when the approved plans show it *at* eaves height. Additionally an external flue, not shown on the approved plans, has been installed to serve the existing fireplace.

4 Policy Considerations

National Planning Policy Framework
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)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS21	(Developer Requirements)

Havant Borough Local Plan (Allocations) July 2014

DM20	(Historic Assets)
AL1	(Presumption in Favour of Sustainable Development)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Listed Building Grade: Not applicable.
Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Conservation Officer

Firstly I think I should reiterate that 2 Langstone Road is not located within a conservation area and is not a listed building The property dates from the 1930's and has some particularly attractive external detailing from the art deco period.

In terms of the current proposals I do not believe they harm the character of the building to its detriment. As such I have no objection to the current application.

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: 23

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 4

Comment	Officer Comment
Once again we find ourselves objecting to a planning application for alterations to an existing plan that was granted permission (despite considerable local opposition) and once again the majority of the work applied for has already been completed prior to the permission being granted.	Noted; however the application has to be determined on its planning merits notwithstanding that the work has been carried out.
The amended height to the link between the kitchen and the garage now means we have a clear glass door with clear glass panels either side that affords a sight line directly into our property. We can now see through both sides of the glazed link and into the drive next door.	See Section 7
The proposal ignores our enjoyment of our house and the glazing to the lobby results in loss of privacy.(photograph provided) Contrary to the original Design and Access Statement which stated:- "The existing garden is mature and has extensive boundary tree, shrub and hedge planting providing	See section 7

privacy between properties. The north boundary adjacent to the proposed study will require the removal of some of the trees as shown on the plans. These will be replaced by evergreen hedge species maintained at an appropriate height to replace the existing screening. By replacing trees with a hedge this will improve the ingress of direct sunlight into the garden of No. 1 Langbrook Close."	
The existing increased height on the north side of the building is overpowering to other properties on the north & west aspects.	The height of the extensions as built is consistent with the height approved under Planning Permission APP/17/00351, as scaled from the approved plans.
The white chimney is a feature of this 1930's building, although not of historical or listed relevance is an important focal point in the area which will be lost and be out of character.	This aspect is as previously approved
To increase the height on the south side of the building means that properties in the southern end of Brookmead Way will also be overlooked by an overbearing extension which will affect their amenity.	This aspect is as previously approved
The extension will mean loss of amenity to neighbouring properties including the apartments in Bartlett Court. which were subject to planning conditions for the building height, and siting of windows so as not to overlook neighbouring properties.	This aspect is as previously approved
The existing approval is already significantly overbearing on the house(s) to the north of the application site. This application includes the introduction of a flue and extended svp's which will be an eyesore on what is already reducing the outlook and sunlight into these properties. Further detracting from the appearance of the original building.	The svp's are as previously approved.

A significant number of LRA members remain concerned about the development at 2 Langstone Road (The White House). It does visually impinge on the area.	See section 7
Is such a flue needed for a domestic fire, presumably in the ground floor lounge, or it is intended for some other purpose? The flue is shown very close to the new roof top extension, so is it not possible to integrate this late amendment within that piece of building? Any existing chimney stack must have been apparent at the design stage. Similarly with the S&Vp's. Must they really be exposed in this manner? Have the designers considered Durgo type non return valves at a lower, less obtrusive level?	The flue serves the ground floor lounge and its height is required to provide satisfactory draw/dispersal of smoke in accordance with the building regulations. See section 7 in respect to the visual impact.
More design input is needed to ensure the development is as neutral as possible to its neighbours.	See section 7
It is unfortunate that the second floor roof terrace/balcony remains. This will overlook my bedroom and that of No 6 Bartlett Court , a two storey building. My corner bedroom faces north west and the white chimney is clearly visible. No 6 faces north and this will directly interfere with the amenity.	The second floor roof terrace/balcony are as previously approved. See section 7 re the flue.
Clear glass and stainless steel railing are not in harmony with the surrounding properties. The roof terrace will be higher than all neighbouring properties with ground & first floor levels only.	The second floor roof terrace/balcony are as previously approved. The glass is conditioned to be etched. See section 7 re the flue.
One again Brookmead Way properties have been ignored in all the site plans provided. Our property is at the end of Brookmead Way and the existing white chimney is clearly visible now above the tree line	see section 7 re the flue

The application for the roof should be declined on the grounds of neighbours amenity diminished.	See 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) CIL

(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 which are considered below.

7.3 This variation of condition application is submitted pursuant to S73 of the Town and Country Planning Act 1990. Government guidance on the consideration of such applications is that:

- * where an application under S73 is granted, the effect is the issue of a new planning permission which sits alongside the original planning permission. That original planning permission remains intact and unamended;
- * the scope of an application under S73 is only the question of the conditions applied to be varied - this means that it is not a wholesale reconsideration of the development originally approved.

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

7.4 The single storey extensions and creation of second storey including terrace now under construction were approved under application APP/17/00351. The scope of the changes under consideration in this application do not substantially alter the nature of the previous approved scheme. In particular, the design approach of the current application is unchanged from that approval with flat roofs and rendered wall and is considered to be in character with the existing dwelling and not to adversely impact on the character of the area.

7.5 With respect to the flue, this extends above the now constructed second floor and is visible in the wider area. It is, however, of modest size and not a prominent feature. As such it is not intrusive and does not result in detriment to the visual amenities of the area. The other key alteration to the scheme, the relationship of the lobby to the pre-existing garage, is not readily discernible in the wider area. Overall it is considered that the scheme, as amended, would not result in an adverse impact on the visual amenity of the locality.

(iii) Effect on neighbouring properties

- 7.6 In the case of the current application where the changes to which the variation of condition refers relate only to the single storey extension adjacent the northern boundary and the flue, the main impacts to be considered relate to properties in Langbrook Close. Prior to construction of the approved works the boundary comprised tall evergreen planting providing a high level of privacy and screening. This screening where it adjoins the boundary with 1 Langbrook Close has now been reduced. As a consequence of this the study element of the extension, which has been constructed in accordance with the approval in terms of its height above ground level, is nonetheless stark when viewed from that property.
- 7.7 The original scheme as approved under APP/17/00351 indicated landscaping on this boundary on the plans and in the Design and Access Statement which would maintain screening and privacy. Given the height of development and its proximity to the boundary this remains a requirement. It is considered that this could be in the form of fencing with trellis above or evergreen hedging of an appropriate height.
- 7.8 There appears to be some dispute as to ownership of the boundary fence with the applicant advising that the fence is not in their ownership. Given this dispute, the submitted plans propose evergreen planting in the form of Portuguese laurel, and this is considered to be the most appropriate approach to address the matter as there could be issues in trying to enforce replacement fencing where ownerships are uncertain. However, at a proposed planting height of only 1m and a predicted growth rate of approx. 0.3m a year, the proposed planting would not provide the immediate screening now considered to be required and would lie below the existing fence level of 1.5m - hence it would not provide any additional screening in the short term.
- 7.9 The applicant has been advised that the planting should be a minimum of 1.8m high hedging and that without this screening the impact of the development would be unacceptably dominant. In the absence of revised plans, and given that the development has already been carried out, it is therefore recommended that the landscaping be the subject of a compliance planning condition. The alternative would be to refuse the application with a view to taking enforcement action. However, as the matter could be addressed by a condition, to take enforcement action would not be reasonable, and it is therefore considered that to impose such a condition would be a more appropriate approach.
- 7.10 With regard to the lobby element of the extension, the changed visual relationship between its roof and the garage roof is considered to have a limited and acceptable impact upon the outlook and amenity of the neighbouring property. It is relevant to note that in places the existing retained conifer planting adjacent the garage is now sparse allowing views from the lobby onto the neighbouring property - however, given the proposed use of this room is not as a main living room, and that the area to which it relates is small, it is considered that the impact is limited and would not justify refusing the application nor a compliance condition for additional screening. It is also noted that the area occupied by the lobby was previously not developed, and would have offered similar views.
- 7.11 With respect to the flue, this is set well off the boundaries and is a slender structure to be finished in white to match the appearance of the main building. It is not considered to be overly dominant as viewed from the neighbouring properties.
- 7.12 It is therefore considered that, subject to a compliance condition regarding landscape screening, the revisions the subject of this S73 application would have an acceptable

impact on the neighbouring properties, meeting the requirements of Policy CS16 of the HBLP (Core Strategy).

(v) CIL

- 7.13 The CIL for the additional floorspace has been paid under the earlier permission and no additional CIL is payable.

8 Conclusion

- 8.1 The scale, siting and design of the revisions proposed to Planning Permission APP/17/00351 are acceptable and the impact on the neighbours can be satisfactorily addressed by condition. The application is therefore considered to be appropriate and is recommended for approval.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/18/00648 subject to the following conditions:

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

Site Plan Drawing No 005 Rev A
Proposed Plans Drawing No 011 Revision C
Proposed Extension & Alterations Elevations Drawing No 012 Revision E

Reason: - To ensure provision of a satisfactory development.

- 2 The development hereby approved shall be completed in accordance with the materials schedule set on approved Drawing No. 012 Rev E and shall thereafter be retained in accordance with this materials schedule including the opaque and non-reflective glazing to the balustrade.

Reason: To ensure the appearance of the development is satisfactory, in the interests of the amenities of neighbouring properties and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 3 Notwithstanding the details of hedging shown on Drawing No. 011 Revision C, within 3 months of the date of this permission, the area indicated on that plan for proposed new hedging shall be planted with staggered planted Portuguese Laurel at 0.5m centres and a minimum height of 1.8m when planted. Any plants provided in accordance with this condition which are removed, uprooted, die, or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by plants of the same size and species to those originally required to be planted. The hedge shall be maintained at a minimum height of 2m.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 There shall be no access to the existing first floor roof beyond the hereby approved roof terrace, except for maintenance and emergency use only. This excluded roof area shall not be used for sitting out or domestic use at any time.

Reason: To protect the amenity of neighbouring residents and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.