

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)

Havant Borough Local Plan (Allocations) July 2014

- AL1 (Presumption in Favour of Sustainable Development)

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

5 Statutory and Non Statutory Consultations

Conservation Officer

Principal Conservation Officer - No Objection

36 Grove Road sits within the St Faiths Conservation Area, the road is a mixture of detached and semi detached dwellings of Victorian/Edwardian period. A key feature of the road is the presence of low level boundary walls whilst the walls vary in style they are by in large original to the individual properties.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires planning authorities, when considering whether to grant planning permission for development which affects a Conservation Area, to have special regard to the desirability of preserving or enhancing the character and appearance of that area.

Having recently dealt with a similar application in Grove Road for the removal of a section of wall it appears that this work is permitted development. However, the works to construct a new wall pier requires planning permission. The pier will be constructed to match the existing and is to be set at the end of the section of wall which is to be retained. If the works to open up a new access are to go ahead the appearance of the retained wall and pier would be acceptable. As such it considered the character of the conservation area would be preserved.

The single storey extension to the garage is of a design and size that would not cause any adverse impact on the character of the Conservation Area. The extension is also in keeping with existing property/ garage and would not appear overly dominant.

No objection subject to the following condition:

- 1) Materials to match.

Development Engineer

The vehicular access does not need planning permission and the provision of the parking space in the front garden does not need planning permission if it is constructed in porous material.

Permission for the dropped kerb needs to be obtained from the Highway Authority. which is Hampshire County Council see

<https://www.hants.gov.uk/transport/parking/droppedkerbs/>

My previous comments still apply to the proposed vehicular access from Grove road.

For the modifications to the Orchard Road access I would suggest that gate open inwards to allow a car to enter the drive and then open the gates without the vehicle having to overhang the footway to allow the driver to get out in order to open the gates. Given the guidance in the NPPF the Highway Authority has no reason to refuse this 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: 5

Number of site notices: 1

Statutory advertisement: 03/02/2017

Number of representations received: 2

Comment	Officer Comment
1. Whilst recognising from our recent discussions, that it is unlikely that my comments will influence the outcome of this application, I am still minded to make the following points. - Parking spaces in Grove Road are already limited and this proposal will remove at least one space. - This property already has off road parking and a garage to the rear and I can't see that unloading a car at the rear and carrying shopping into the house is significantly more onerous than unloading from the front. The properties either side of Orchard Road, which are virtually identical to number 36, have the same set up and seem to be content not to introduce parking to their front gardens. - Grove Road is part of the St Faith's Conservation area and it seems ironic that someone, who one might assume was partly influenced by that in purchasing number 36, immediately looks to make changes that will, albeit in a small way, detract from what currently exists. I have attached a copy of a recent letter to The Times on this very subject. 2. Concern raised over the visual aspect of the garage and that it will impact the view from the kitchen window, the current view when looking out from the garden and the tunnelling effect caused as a result of the development.	The comments made will be addressed in Section 7 of the report under 'Planning Considerations'.

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) Impact upon the conservation area and character of the area
- (iii) Effect on neighbouring properties
- (iv) Highways

(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. The dwelling is situated in the St Faith conservation area and as such regard must be paid to Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, which states that in the exercise of its planning powers with respect to any buildings or other land in a conservation area the local planning authority shall pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

(ii) Impact upon the conservation area and character of the area

- 7.3 No 36 Grove Road is a characterful dwellinghouse which has a prominent view along Grove Road. The development proposed comprises of two elements including changes to the front curtilage boundary involving the movement and reduction in width of the boundary wall and the movement of the pier to create a wide enough space to accommodate a car. The second element of the proposal is for the construction of an additional building to the rear of the curtilage boundary to create a garage and gym/studio.
- 7.4 The conservation officer has been consulted in regards to the scheme and it is acknowledged that the dropped kerb and reduction of wall to the front curtilage boundary could be carried out under permitted development rights and therefore without planning permission as the wall does not breach 1m in height. Concern has been raised by a neighbouring resident that the works would result in a loss of parking along Grove Road however as the dropped kerb is able to be installed without planning permission, this would not warrant grounds for a refusal of planning permission and as such could not be considered as part of this application. What however requires planning permission is the pier movement as this does exceed 1m in height. Concern has been raised by a neighboring resident that the creation of a parking space to the front of No 36 will detract character from the dwellinghouse and conservation area and is not considered a necessary development. However following a site visit it was noted that within the streetscene other dwellinghouses along Grove Road had driveways to the front, in particular the neighbouring dwelling No 38 and No 40 and therefore it is felt that the works proposed to No 36 would not be setting a precedent and would not look out of place, due to the other examples along the eastern part of Grove Road. The conservation officer has also noted that the pier shall be constructed to match the existing and is to be set at the end of the section of wall which is to be retained and that therefore the appearance of the retained wall and pier would be acceptable. It is therefore considered that on balance the development would not result in a significant impact on the character from the area and that the character and appearance of the conservation area would be preserved.
- 7.5 The second element of the proposal would consist of a new garage and gym/studio being constructed behind the existing garage along the rear curtilage boundary of No 36. The materials are proposed to match that of the existing garage and shall be conditioned with the decision to ensure the works look in keeping to the existing structure not out of place. The development itself is positioned to the rear of No 36 and as such would not be viewable from Grove Road but has the potential to be viewable along Orchard Road. The extension would itself be proposed to the rear of the existing garage projecting north of the existing. Although this has the potential to be viewed from Orchard Road it is felt that this would not be significant due to the

works being single storey, that they only exceed the existing ridge height of the current garage minimally and that the development would be set back from the road. The conservation officer has been consulted with regards to the proposed garage and gym/studio and has commented that the development should not cause any adverse impact on the character of the conservation area and should be in keeping with the existing garage therefore not appearing overly dominant. Therefore the conservation area is considered to be preserved and the development can be considered acceptable.

- 7.6 The proposal is therefore considered to preserve the character of the conservation area and thus accords with the statutory duty set out in Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 and policies CS16, CS11 and DM8 of the HBLP (Core Strategy).

(iii) Effect on neighbouring properties

- 7.7 It is acknowledged that No 36 Grove Road is situated in a generous plot which has the amenity space to accommodate the proposed works without resulting in a significant loss of amenity space for the residents.
- 7.8 Concern has been raised by the occupants of the neighbouring dwelling to the rear of No 36, No 1 Orchard Road with regards to the proposed garage and gym and the visual impact this could have to the rear amenity space of the dwellinghouse, in particular resulting in a tunnelling effect and impacting the views from the existing windows. A site visit was performed to No 1 Orchard Road in order ascertain the potential harm caused as a result of the development and it was agreed that the development had the potential to cause an adverse impact on the amenity levels of No 1. As a result of this, changes have been proposed to the development and an amended plan has been submitted that lowers the eaves height to 2m, marginally sets the development off the shared curtilage boundary and reduces the ridge height. This amendment coupled with the roof being hipped away from No 1 is considered to reduce the impact caused. The new height of the development should reflect a typical 2m height of a boundary wall which is not considered to be obtrusive nor unacceptable. The rooflights proposed to the development will be at a height to ensure no overlooking nor privacy levels are impacted to No 1 and it is therefore felt the amended development addresses the concerns raised and can be considered acceptable. Finally, it is noted that the extended building would be on the north side of No.1 Orchard Road and any impact on light would therefore be reduced.
- 7.9 It is considered that the proposed works to the front of No 36 should not result in a significant adverse impact to neighbouring dwellinghouses and can therefore be considered acceptable.
- 7.10 Consequently, it is considered that the proposal is unlikely to appear overbearing or lead to overlooking 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).

(iv) Highways

- 7.11 Highways have been consulted as part of the application in regards to the parking arrangement at 36 Grove Road and the access gates proposed along Orchard Road. The site provides enough parking provision however comments were made in regards to the proposal and that the gates should open inwards to allow a car to enter the

drive without having a vehicle overhang the footway. As a response comments were made by the applicant that the current position of the gates would permit a car to be off the highway and ensures that the gates do not have to be sited on the boundary, permitting storage behind the gates. Comments were also made that the position of the gate would reflect other neighbouring gates positions. It is considered that on balance that any harm caused as a result would not be significant enough to warrant a refusal of planning permission and that the position of the gates could remain as proposed.

8 Conclusion

- 8.1 The scale, siting and design of the proposal is considered to not look out of place nor create a negative impact on the character of the St Faith Conservation Area. The proposal would have a limited and acceptable impact on the amenities of nearby residents. The development is considered to therefore accord with the requirements of the adopted Local Plan and can be considered acceptable for approval..

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/17/00093 subject to the following 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 external materials used for the proposed garage extension/gym/studio shall match, in type, colour and texture, those of the existing garage building so far as practicable and the changes to the front curtilage boundary/brick pier shall match, in type, colour and texture, those of the existing wall/pier.
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.
- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:

Proposed Elevation and Floor Plans of Garage: Drawing No P_03B
Design and Access Statement received 25.01.17
Location and Proposed Block Plan: Drawing No P_04
Proposed Ground Plan: Drawing No P_01

Reason: - To ensure provision of a satisfactory development.