
Site Address: 1 Cumberland Avenue, Emsworth, PO10 7UH
Proposal: Application for Non-material change to Planning Permission
APP/20/00139 relating to changing the originally approved Plain Tile Hanging to C51
'Marley' Silver Grey 'Cedral Boarding'
Application Type: Non-material change
Application No: APP/22/00798 Expiry Date: 14/09/2022
Applicant: Mrs Hellawell
Agent: Mr Robinson Case Officer: Selina Donophy
Extending Homes
Ward: Emsworth

Recommendation: **REFUSE PERMISSION**

1 Site Description

This application site is a detached bungalow located on the East side of Cumberland Avenue, on a corner plot where Cumberland Avenue meets Tudor Avenue. This property is constructed of brick and white render, with a rear garden located to the South of the property. The area is characterised by detached bungalows of differing styles and designs.

2 Planning History

APP/20/00139 - Proposed dormer to west elevation and creation of dropped kerb.,
PERM,31/03/2020
APP/20/00787 - Cladding to west facing gable end and creation of dropped Kerb.
, PERM,29/10/2020

3 Proposal

Application for Non-material change to Planning Permission APP/20/00139 relating to changing the originally approved Plain Tile Hanging to C51 'Marley' Silver Grey 'Cedral Boarding'

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
CS16 (High Quality Design)

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

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

5 Planning Considerations

5.1 As detailed in paragraph 3.1 above, this application has been submitted under Section 96A of the Town and Country Planning Act which allows a local planning authority to make a change to any planning permission if they are satisfied that the change is not material. The Government has advised that the requirements for design and access statements, publicity and consultation, and to take reasonable steps to identify unknown owners, would have applied to the original application if relevant. Therefore, those requirements do not apply to this type of application. The Government have advised that Local Planning Authorities must have regard to the effect of the change when determining where the proposal is a 'non-material' amendment.

5.2 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

(i) Principle of development

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

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

5.4 This proposal for a non material amendment relates to the changing of the tile hanging to the dormer which was approved permission under APP/20/00139 - the hanging tile was approved under APP/20/00787 when an application was put forward to change the materials to the gable end and the dormer to cladding. At this time the applicant was made aware this cladding would not be considered acceptable to the dormer due to harmful impact on the character of the area - there is no cladding visible in the immediate surrounding streetscene and the property is located within a highly prominent location on the corner of Cumberland Avenue and Tudor Avenue. The application property, being bungalow would mean the cladding is located at low height and such increasing the visibility of the clad dormer. A site visit has been undertaken again for this current application and at the time of the visit it has been noted that, whilst scaffolding has been erected, the bulk of the previously approved proposals have not been constructed, including the cladding to the front gable. The hanging tile to the dormer as previously approved would match with the existing roof slope and would appear much more subservient in appearance than a clad dormer which would result in an incongruous appearance within the roof slope, causing harm to the character of the area. The proposal is contrary to Policy CS16 of the Havant Local Plan as well as Policy D2 of the Emsworth Neighbourhood Plan which states the following :

All new buildings should enhance the character of the area and be appropriate in height, mass and materials. In most cases, this will mean buildings constructed or clad in materials typical for the area with any pitched roofs being of slate or tile.

Policy CS16 states the following :

New development should : *Use the characteristics of the locality to help inform the design of the new development including heights, massing, existing buildings lines, plot widths and depths, materials and proportions of windows and doors;*

- 5.5 As such the application is considered to be contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, the Havant Borough Council Borough Design Guide SPD 2011, Policy D2 of the Emsworth Neighbourhood Plan and the National Planning Policy Framework.

(iii) Effect on neighbouring properties

- 5.6 The proposed change, as a material alteration to the external appearance of the approved scheme and located in a prominent siting within the streetscene is considered to be a material change as the development would need to be reassessed in terms of the impact on the neighbouring properties and the character of the area, and would, as a result, require consultation with relevant third parties. To approve the change as a non-material amendment without such consultation would result in the criteria set out in Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 not being complied with.

6 Conclusion

- 6.1 Overall, the proposed alteration to use cladding for the dormer is considered to result in a material change to the extant planning permission and the change is recommended for refusal.

7 RECOMMENDATION:

That the Head of Planning be authorised to refuse permission for application APP/22/00798 for the following reason

- 1 The proposed revisions to the approved scheme (APP/20/00139) would be materially different from the scheme as approved and would constitute a material amendment with the works falling outside of the scope of the original planning permission. The changes to the external materials proposed to the previously approved tile hung dormer would appear out of keeping within the streetscene , exacerbated by the highly prominent location of the application property which is sited at low height on the junction between Cumberland Avenue and Tudor Avenue . Cladding is not a material well used within the surrounding streetscene and therefore would result in disruption to the prevailing pattern of development within the immediate area. The proposed alterations are therefore contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, policy D2 of the Emsworth Neighbourhood Plan, the Havant Borough Design Guide and the National Planning Policy Framework.