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|-----------------|---------------------------------------------------------|---------------|----------------|
| Site Address:   | 3 Pelham Terrace, Emsworth, PO10 7JB                    |               |                |
| Proposal:       | Proposed dog shower installation within rear of garage. |               |                |
| Application No: | APP/21/01308                                            | Expiry Date:  | 12/01/2022     |
| Applicant:      | Dr. Carapiet                                            |               |                |
| Agent:          | Mr Vanags                                               | Case Officer: | Graham Speller |
| Ward:           | Emsworth                                                |               |                |

Recommendation: **GRANT PERMISSION**

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## **1 Site Description**

- 1.1 The site is located on the western side of Pelham Terrace and is occupied by a semi detached dwellinghouse. The garage serving the dwellinghouse is one of four garages situated under a modern flat and is immediately adjacent to the dwellinghouse and is the subject of this application.
- 1.2 The site is located within the Emsworth Conservation Area.
- 1.3 The surrounding area is residential in character with properties of varying styles and design.

## **2 Planning History**

05/66804/000 - Loft conversion with velux windows., PERM,22/04/2005  
05/66804/001 - Loft conversion with velux windows., PERM,29/09/2005  
07/66804/002 - Installation of double glazing to replace windows on ground and first floor, including patio door at rear and new front door. , PERM,21/12/2007  
APP/15/00331 - Ground floor oriel window., PERM,22/05/2015

## **3 Proposal**

- 3.1 Proposed dog shower installation within rear of garage.
- 3.2 No external changes are proposed, and the agent confirmed that it is not intended for commercial purposes.

## **4 Policy Considerations**

National Planning Policy Framework 2021  
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)                                                             |
| DM10 | (Pollution)                                                                       |
| DM13 | (Car and Cycle Parking on Residential Development)                                |

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) |

Submission Version Havant Local Plan

|     |                                            |
|-----|--------------------------------------------|
| E1* | (High quality design)                      |
| E13 | (Historic environment and heritage asset)  |
| IN3 | (Transport and parking in new development) |

Emsworth Neighbourhood Plan Post Examination Version 2020

|        |                     |
|--------|---------------------|
| ENP_H1 | (Design & Heritage) |
|--------|---------------------|

Listed Building Grade: Not applicable.

Conservation Area: Emsworth

**5 Statutory and Non Statutory Consultations**

**Chichester Harbour Conservancy**

No comments received.

**Conservation Officer**

**Legislative and Policy Context**

When assessing the proposal, the following legislation and policy context is taken in consideration.

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.

**Proposal:**

To create a dog shower within the existing garage.

**Assessment:**

The development would be located within the existing garage and would not be visible within the wider context of the conservation area.

Overall, the proposals would meet the test of 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.

**Conclusion**

No objection.

**Councillor Julie Thain-Smith**

No comments received.

**Councillor Lulu Bowerman**

No comments received.

**Councillor R Kennett**

No comments received.

**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: 6

Number of site notices: At least one site notice exists

Statutory advertisement: 17/12/2021

Number of representations received: 0

**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 Conservation Area
- (iii) Effect on neighbouring properties
- (iv) Parking

(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.

7.3 The original permission (26882\_3) included a number of planning conditions, two of which are relevant to this current proposal, namely Conditions 14 & 15 which state:

**Condition 14:**

*The garages subject to this permission shall only be used only for the parking of private domestic motor vehicles and/or for purposes incidental to the enjoyment to the dwellinghouse as such and shall not be used for any business, commercial or industrial purposes whatsoever.*

### **Condition 15:**

*Notwithstanding the provisions of the Town and Country General Development Orders or any replacement or reenactment thereof, the proposed garages to each unit shall be retained for the parking of private motor vehicles and shall not be converted into habitable rooms.*

- 7.4 The reason for the conditions was:

*To minimise the likelihood of cars parking on the adjoining highway.*

- 7.5 The applicant has previously been advised that planning permission was required because of these restrictive conditions, however, that was on the basis of a plan that showed a partition wall being erected within the existing garage thereby creating a separate 'dog shower room', which would have complied with Condition 14 as being a 'purpose incidental to the enjoyment to the dwellinghouse'. However, it would not have complied with Condition 15 as the parking of private motor vehicles would not have been possible.
- 7.6 The current submission no longer involves a partition within the existing garage but merely install a ceramic tiled dog shower at the end of the existing garage thereby retaining parking for private motor vehicles.

(ii) Appropriateness of design and impact on the character of the Conservation Area

- 7.7 There would be no external changes, nor would the dog shower be used for commercial purposes. It is considered that the scheme would not result in an adverse impact on the visual amenity of the locality or the Conservation Area having regard to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

(iii) Effect on neighbouring properties

- 7.8 It is considered that the proposal will have no adverse 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). It is noted no letters of objection were received with respect to the scheme.

(iv) Parking

- 7.9 The plans indicate that adequate parking provision would be retained and there is also parking available immediately in front of the garage.

## **8 Conclusion**

- 8.1 The proposal would have limited and acceptable impact on the neighbours and character of the conservation area and is therefore considered to be appropriate and recommended for approval.
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## 9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/21/01308 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 development hereby permitted shall be carried out in accordance with the following approved plans:

2108/01 - GARAGE SITE AND LOCATIONS

2108/02 - PROPOSED GARAGE PLAN

2108/03 - PROPOSED GARAGE SECTION AND ELEVATIONS

**Reason:** To ensure provision of a satisfactory development.

- 3 The dog shower installation hereby permitted shall be used only for purposes incidental to the enjoyment of the dwelling house as such and shall not be used for any business, commercial or industrial purposes whatsoever.

**Reason:** To protect the amenities of nearby residential properties and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.