
Site Address: 28 Manor Close, Havant, PO9 1BD
Proposal: Application for Non-material amendment to Planning Permission APP/21/00972 relating to height and width.
Application Type: Non-material change
Application No: APP/22/00971 Expiry Date: 04/11/2022
Applicant: Mr & Mrs Walker
Agent: Mrs Fox Case Officer: Graham Speller
 Critchley Architecture And
 Design (CAAD) Ltd
Ward: St Faiths

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The site comprises a two storey semi detached property and is located on the western side of Manor Close within the St Faiths Conservation Area. The property backs onto Prince George Street from which it gains vehicular access. There are numerous examples of outbuildings constructed in the rear gardens of properties fronting Prince George Street in the rear gardens of properties in the vicinity of the application site, which are visible from the public domain.
- 1.2 Located adjacent to the town centre the surrounding area is of mixed character.
- 1.3 A single storey rear extension has been constructed and is the subject of this application.

2 Planning History

01/66066/000 - Crown reduce by 30% a Pittosporum Tenuifolium tree at rear of 28 Manor Close., RNO,17/04/2001
06/66066/001 - Notification of intention to fell a Cherry tree within St Faiths Conservation Area., RNO,31/01/2007
APP/16/01285 - Fell 1No. Apple and 1No. Pear tree. Both trees within conservation area of St Faiths., RNO,06/01/2017
APP/21/00972 - Single storey rear extension., PERM,20/10/2021

3 Proposal

- 3.1 Application for Non-material amendment to Planning Permission APP/21/00972 relating to height and width. The extension has been constructed 165mm higher with a reduction in width of 230mm compared to the approved scheme.
- 3.2 The description of the proposal has been amended during the course of its consideration to reflect the changes made.

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)

Havant Borough Local Plan (Allocations) July 2014

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

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

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 management criteria. Given that the site lies within the St Faiths Conservation Area, regard must also be had to Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, which requires that LPAs pay special attention in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area.

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

- 5.4 The proposal is to regularise the extension as constructed which, as noted above, has increased in height and reduction in width. However, the design and appearance is substantially the same as that previously approved.
- 5.5 In its original approved form under APP/21/00972 the design of the proposal was assessed and the Conservation Officer advised at that time "*The proposed extension would feature a flat roof with a side access and canopy. The flat roof design is not wholly in keeping with the traditional character of the main property however, the extension is subservient and would not be highly visible from the public realm within its context.*" As a result, no objection was raised in heritage terms.
- 5.6 Having regard to the current proposal, it is considered that the essential nature and character of the extension as built has not materially deviated from the character of the extension as approved. The additional height to the extension (165mm) is not such as to change its subservient nature in relation to the host dwelling, and is not considered to have a material impact upon the character or appearance of the Conservation Area as a whole compared to the scheme as originally approved.
- 5.7 The design and appearance of the proposal is therefore deemed appropriate in context to the main building and is considered to be acceptable, meeting the requirements of Policy CS16 of the HBLP (Core strategy). It is considered that the scheme would not result in an adverse impact on the visual amenity of the locality. Moreover the impact of the revised scheme on the character of the Conservation Area is not considered to be material.

(iii) Effect on neighbouring properties

- 5.8 Government PPG states, inter alia, that a local planning authority can consult on this type of application if it chooses to do so. In this instance, neighbour consultation was carried out.
- 5.9 As a result of the neighbour consultation, one letter of representation has been received raising the following:
- There is no point saying height would only be 2.8 metres high and would not impact on other properties or be visible from the road because not in keeping with the conservation area
- 5.10 As set out above, the proposed changes are relatively modest and whilst the height has increased by 165mm the width of the extension has been reduced by 230mm. As such, the impact of the development on neighbouring properties is considered to be comparable with that originally approved.
- 5.11 It is considered that the changes to the size of the extension as built do not result in any material impact on the amenities of neighbouring properties compared to the scheme originally approved.

6 Conclusion

- 6.1 Overall, both in terms of the appropriateness of the design and its impact on the character of the Conservation Area; and in terms of its impact on neighbouring amenity, the alterations are not considered to result in a material change to the nature or impact of the original planning permission and the changes are recommended for approval.
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7 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/22/00971 subject to the following conditions:

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

21073-403 – PROPOSED FLOOR PLANS

21073-503 – PROPOSED ELEVATIONS

Reason: To ensure provision of a satisfactory development.