DELEGATED OFFICER REPORT

Site Address: 45 Skylark Avenue, Emsworth, PO10 7GB
Proposal: Application for non-material amendment to Planning Permission APP/22/00751 relating to size of ground floor cloakroom window.
Application Type: Non-material change
Application No: APP/24/00730 Expiry Date: 16/10/2024
Applicant: Mr N Tay
Agent: Case Officer: Denise Sheath
Ward: Emsworth

Recommendation: **GRANT PERMISSION**

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1 Site Description

45 Skylark Avenue, Emsworth, is a two storey semi detached property located on the corner of Skylark Avenue and Lapwing Close. The property is constructed with red brick with cream rendered elevations to the whole western side elevation and partial;;y to the front elevation of the property. The rear garden has a small patio area directly to the rear with a laid to lawn rear garden area. Thew property has an approximately 2m in height boundary wall to the rear and partially to the western side elevation enclosing the rear garden area.

2 Planning History

APP/13/00598 - Discharge of Condition No/s 5, 6, 7, 16, 17 and 19 of Planning Permission 10/74014/000 - PERM,16/08/2013
APP/12/00837 - Reserved Matters Application (pursuant of outline planning permission 10/74014/000) for redesign of northern part of the site to provide a total of 161 units (reduction of 32 units) with associated parking and landscaping. PERM - 14/12/2012
APP/14/00536 - Application for written approval that the development has been carried out in accordance with approved details for Planning Permissions 10/74014/000 (outline) and APP/11/01089. PERM - 10/07/2014
APP/14/00713 - Discharge of Condition No. 5 of Planning Permission 10/74014/000. PERM - 06/08/2014
APP/14/01297 - Partial Discharge of Condition No. 33 of Planning Permission 10/74014/000 relating to plots 93-96 & 103-106. PERM - 05/01/2015
APP/17/00300 - Variation of S106 legal agreement relating to Planning Permission 10/74014/000 (Hampshire Farm) to extend the period to procure that the Community Facilities (doctors surgery and pharmacy) are provided on the Community Facilities Land until the 1st December 2017.

Extension of time Agreement until 13th October 2017. PERM - 19/10/2017
APP/22/00751 - Retention of first floor en-suite window, canopy to rear and solar PV panels to front elevation & a proposed ground floor cloakroom window. PERM - 14/10/2022
APP/24/00100 - Installation of air source heat pump. WD - 08/05/2024

3 Proposal

Application for non-material amendment to Planning Permission APP/22/00751 relating to size of ground floor cloakroom window.

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 seeks to alter APP/22/00751 by enlarging the height and width of the approved cloak room window within the western elevation. The window will remain obscurely glazed. The proposed changes to the size of the window would not alter the overall scheme and is not considered to be harmful in that respect.

5.5 No letters of objection were received with respect to APP/22/00751 from neighbours.

5.6 The design and appearance of the proposal is deemed appropriate in context to the main building and is therefore 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.

(iii) Effect on neighbouring properties

5.7 The proposed change is relatively modest and it is considered it is unlikely to lead to an adverse impact to neighbouring properties and can therefore be considered as non-material.

6 Conclusion

6.1 Overall, the proposed alterations are not considered to result in a material change to the extant planning permission and the changes are recommended for approval.

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7 RECOMMENDATION:

That the Head of Place be authorised to **GRANT PERMISSION** for application APP/24/00730 subject to the following conditions

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

Application Form - Received 25 September 2024
Revised Proposed Elevation - Received 25 September 2024

Reason: - To ensure provision of a satisfactory development.

2 The cloak room window at ground floor level on the western side elevation of the building shall at all times be and remain glazed entirely with obscure glass, the particular type of which glass shall provide a degree of obscuration no less obscure than that which is provided by Pilkington's Texture Glass Obscuration Level 4.

Reason: In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.