
Site Address: 28 Woodlands Avenue, Emsworth, PO10 7QE
Proposal: Variation of conditions 2 & 3 of Planning Permission APP/21/00266
(First floor side extension with cedar cladding; roof lights; extension and alterations to porch) relating to Condition 2 amended drawings and 3 materials schedule.
Application No: APP/21/01378 Expiry Date: 02/02/2022
Applicant: Mr and Mrs Child
Agent: Mr Tyrrell Case Officer: Graham Speller
Cloud 9 Design Studio Ltd
Ward: Emsworth
Site Visit Date:

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The site is located on the southern side of Woodlands Avenue and is occupied by a detached two storey house.
- 1.2 The area is residential in character with houses of varying scale and appearance, including different use of external materials.

2 Planning History

APP/21/00266 - First floor side extension with cedar cladding; roof lights; extension and alterations to porch., PERM, 20/05/2021

3 Proposal

- 3.1 Variation of conditions 2 & 3 of Planning Permission APP/21/00266 (*First floor side extension with cedar cladding; roof lights; extension and alterations to porch*) relating to Condition 2 amended drawings and 3 materials schedule.

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
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)

Submission Version Havant Local Plan
E1* (High quality design)

Emsworth Neighbourhood Plan Post Examination Version 2020
ENP_D1 (General Design Policy)

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

5 Statutory and Non Statutory Consultations

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: 7

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

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 area
- (iii) Effect on neighbouring properties
- (iv) Other matters

(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 Section 73 provides for the determination of applications to develop land without compliance with conditions previously attached. It only provides for the variation of conditions attached to an existing permission; it does not provide a means of varying the development permitted (other than through the imposition of new/varied conditions). Given the previous permission, the principle of the development is considered to be acceptable.

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

7.4 The proposed change is for a narrower but deeper first floor extension, however, it

would still be set back from the front wall of the host property. The cladding would also now be a grey composite.

- 7.5 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

- 7.6 It is considered that the proposal will not 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). It is noted no letters of objection were received with respect to the scheme.

(iv) Other matters

- 7.7 As this is a Section 73 application any new permission sits alongside the original permission, which remains intact and unamended. Government guidance states that for the purpose of clarity to reinstate the conditions imposed on earlier permissions that continue to have effect. The application form states that the works of the original permission have not yet commenced and therefore a time condition shall be imposed but aligning with the original permission as it is not possible to vary a time limit condition under a s73 application.

8 Conclusion

- 8.1 The scale, siting and design of the proposal would have limited and acceptable impact on the neighbours and the character of the area and is therefore considered to be appropriate and recommended for approval.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/21/01378 subject to the following conditions:

- 1 The development must be begun on or before 20/05/2024.
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:

C9/0210/00B - LOCATION AND BLOCK PLAN
C9/0210/05B - PROPOSED FLOOR
C9/0210/04A - PROPOSED ELEVATIONS
C9/0210/03A - EXISTING & PROPOSED ROOF

Reason: - To ensure provision of a satisfactory development.

3 The development shall be carried out in the following materials:

Walls – grey composite cladding

Roof – first floor extension to match existing/porch to be GRP

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.