

APP/20/01014 - Single storey rear extension for 3 additional bedrooms, with an increase in residents from 34 to 36., currently under consideration

3 Proposal

- 3.1 Variation of Condition 2 of planning permission APP/17/00394 to increase the height of the flat roof between the two front facing gables, to allow for the minimum Building Regulation heights to be achieved internally. There are also some minor internal changes, however, these would not require planning permission.

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)
CS7 (
DM14 (Car and Cycle Parking on Development (excluding residential))

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

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

5 Statutory and Non Statutory Consultations

Councillor Leah Turner - Hayling East

No comments received.

Councillor M Wilson - Hayling West Ward

No comments received.

Councillor R Raines - Hayling East

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: 19

Number of site notices: At least one site notice exists .

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 situated within an urban area where further development is considered acceptable subject to the usual 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 As noted above, the agent has stated that the small link section of roof between what will be two front gables, needs to be raised for building control requirements.

7.5 Whilst it is unfortunate that the resulting appearance will not be as well integrated as the approved scheme, it is noted that there are residential properties in the immediate locality that have flat roof dormer windows within the roofslope. The appearance of the revision would not be dissimilar.

7.6 As the proposed change appears to be as a direct result of building control requirements and having cognisance to other flat roof dormer windows in the locality, in this instance, the proposed change is considered acceptable.

(iii) Effect on neighbouring properties

7.7 There would be no adverse impacts on neighbouring properties as a result of this amendment.

(iv) Other matters

7.8 The original permission has been partly implemented. This revision to the approved

plans does not increase occupancy and therefore an appropriate assessment is not required in this instance. The floor space would also not increase as a result of this minor revision.

- 7.9 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.
- 7.10 The time limit for implementation is no longer necessary as the original permission has been implemented.
- 7.11 It is noted that permission was granted under another s73 application to increase the numbers of residents from 33 to 34 (APP/17/01152). It is also noted that a current application under consideration also seeks to increase the number of residents from 34 to 36 (APP/21/01014). For the purposes of the current s73 application only Condition 2 – approved plans is being requested for amendment.
- 7.12 The original permission also included a pre commencement condition regarding details of contractors vehicles/material storage. This condition has been discharged so it is not necessary to repeat it under the current s73 application.

8 Conclusion

- 8.1 As the proposed change appears to be as a direct result of building control requirements and having cognisance to other flat roof dormer windows in the locality, in this instance, the proposed change is considered acceptable. It is recommended to grant permission to vary Condition 2 of permission APP/17/00394

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/21/00672 subject to the following conditions:

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

1618 – 101 B - LOCATION AND BLOCK PLAN

1618 – 450 A – PROPOSED GROUND FLOOR PLAN

1618 – 451 A – PROPOSED FIRST FLOOR PLAN

1618 – 513 A – PROPOSED ELEVATION AND SECTION PLAN

Reason: - To ensure provision of a satisfactory development.

- 2 The external materials used shall match, in type, colour and texture, those of the existing building so far as practicable.

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.

- 3 The accommodation to be provided by the care home following the implementation of the extensions hereby permitted shall be limited to only 34 residents unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the locality and having due regard to Policy DM7 of the Havant Borough Local Plan (Core Strategy) and National Planning Policy Framework 2012.