
Site Address:	22 Blenheim Gardens, Havant, PO9 2PN		
Proposal:	Single storey detached garage to rear. (Retrospective Application).		
Application No:	APP/14/01304	Expiry Date:	27/02/2015
Applicant:	Miss Doughty	Team:	Team 1
Agent:		Case Officer:	Heather Lealan
Ward:	St Faiths		

Recommendation: **GRANT PLANNING PERMISSION IN RETROSPECT**

1 Site Description

Blenheim Gardens is a residential road located within St Faiths ward. No.22 is a detached house located to the west side of the turning head within a small cul-de-sac off the main road. The dwelling has a small rear garden with two out buildings located to the northern side of the site, one forms a garage that has existed on site for some time. The other is the new garage structure subject of this report, this garage is located adjacent to, but not adjoining, the west of the original garage. There is also a carport attached to the dwelling house and in front of the original garage.

The front garden is laid to hardstanding providing further vehicular parking. To the south of the site is a detached two storey dwelling. To the west the rear boundary of the site is adjacent to a garage block and the neighbour dwelling to the rear, another detached two storey dwelling. To the north are a pair of semi detached two storey dwellings.

2 Planning History

No relevant planning history on Acolaid

3 Proposal

Single storey detached garage to the rear (retrospective application). The garage constructed of green powder coated steel walls and a grey steel roof with two fibre glass skylights.

It is 5m in width, 6m in length and 3.4m in height.

4 Policy Considerations

National Planning Policy Framework 2012

Havant Borough Local Plan (Core Strategy) March 2011
CS16 (High Quality Design)

Havant Borough Local Plan (Allocations) July 2014

Borough Design Guide SPD

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

5 Statutory and Non Statutory Consultations

None

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: 9

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 2. A further letter was received from one of the objectors following the submission of amended plans that stated that the objections previously made were not altered by the proposed amendments.

Summary: (*Officer comments in italics*)

(a) It is unsightly. It dominates the view from the back of the house and is out of keeping with the area. This is a residential area; the garage looks like an industrial unit. We feel it may reduce the value of our property.

(b) its height exceeds the permitted limits.

(c) It is right up against the path that provides us access to our garage. *It is within the site boundaries*

(d) We believe the occupants of the property trespassed on our land and on our garage roof in the course of erecting the structure. We were not informed of their intention, let alone asked permission regarding their use of our path and our garage roof. *This is not a material planning consideration.*

(e) particularly concerned about the "do first ask permission afterwards" approach, by people who assume that a fait accompli is likely to be left in place. *This is not a material planning consideration; the application, whilst retrospective, must be considered on its own merits.*

(f) The new garage is well above the size to be expected for a house the size of No 22. No 22 has only 2 bedrooms upstairs and a "study size" room downstairs and a standard size garage,

(g) If the application is approved we would wish the following conditions be applied:-
The new and old garages can only be used for activities specific to home use at No 22 Blenheim Gardens. No machinery to be installed or used within the garages that is not related to normal house usage. No business activity is to be undertaken in the garages. The occupiers of Number 22 should be instructed to remove from the front garden the two "broken" cars and store them in the new or old garages. The occupiers of Number 22 should be instructed to remove from the rear garden the car body parts, scaffolding, the very large ladder and various other miscellaneous non-garden rubbish and store them in the new or old garages. *The comments about the use being ancillary to the main dwelling house are noted. It is not appropriate to condition that the cars are moved into the garage as the occupiers of the dwelling are legally within their rights to store these upon their drive*

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) Impact upon the streetscene
- (iii) Impact upon residential amenity

(i) Principle of development

The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria. When considering the principle of this structure account must be taken of the permitted development fall back position. This being that outbuildings of the type the subject of this application normally do not require planning permission provided that, when sited within two metres of the site boundary, they do not exceed 2.5m in height, (Class E, Part 1, Schedule 2 of the GPDO 1995 as amended). The garage structure the subject of this report is 3.04m in height to the central ridge. Therefore, were the roof to be removed and replaced with a flat roof, the remaining structure would, in both location and size, accord with the dwellings permitted development (PD) rights. Therefore, it is considered that in this case the key part of the structure of which the acceptability must be considered is the roof.

(ii) Impact upon the streetscene

The materials being powder coated green and grey steel are not traditional materials for the construction of garages in residential locations. However, due to the siting of the garage within the rear garden of the plot only glimpses of the structure are visible from the public realm. It is considered that these oblique views are not detrimental to the general visual amenities of the streetscene.

(iii) Impact upon residential amenity

The structure is visible from a number of the surrounding residential properties and it is the construction materials that do not *respect the local context* and as such are not in accordance with policy CS16 of the adopted Local Plan. However account must be taken of the PD fall back position that would allow for the retention of the structure if the pitched roof were to be replaced with a flat roof. It is not considered that a flat roof would improve the appearance of the structure, particularly if steel were to be used as it would have the appearance of a large steel container, albeit acceptable within the dwellings PD rights.

It is considered a more preferable solution has been submitted by the applicant by amended plans proposing to cover the roof with mineral felt. This would improve the appearance of the structure from the surrounding residential properties; as it would result in a roof finished in a material that is traditionally found within residential areas. It is considered that this is a more preferable solution visually than requiring that the applicants revert to a PD flat roof position on such a large structure.

As the structure is so large it is considered reasonable to apply a planning condition that requires its use to be ancillary to the main dwelling house and that no business

activity is undertaken with it. Such a condition is required due to the size of the structure and the close relationship with the surrounding residential dwellings.

8 Conclusion

It is considered, on balance, that given the applicant could revert to a less visually attractive PD position, through removing the pitched roof, that the structure should be permitted subject to the conditions listed below, including a condition that requires the felt roof to be completed within two months of the date of the planning decision.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **GRANT PLANNING PERMISSION IN RETROSPECT** for application APP/14/01304 subject to the following conditions:

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

Site Plan and Block Plans received 2 January 2015

Layout Plan received 17 December 2014

Floor Plan received 17 December 2014

Elevations received 14 February 2015

Additional information letter including photograph of felt to cover roof received 14 February 2015

Reason: - To ensure provision of a satisfactory development.

- 2 Within two months of the date of this decision the roof of the detached garage shall be covered with mineral felt in accordance with the plans and information submitted on the 14 February 2015. The roof shall remain as a felt roof unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the amenities 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 2012.

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

Reason: In the interests of the amenity of the area and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012..