
Site Address:	1 Shearer Close, Havant, PO9 4BT		
Proposal:	Variation of condition No 8 of Planning Permission 03/61332/002 (RRP) to allow the garage to be used for habitable accommodation.		
Application No:	APP/14/00191	Expiry Date:	27/05/2014
Applicant:	Miss Shepherd	Team:	Team 2
Agent:		Case Officer:	Tina Pickup
Ward:	Barncroft		

Recommendation: **REFUSE PERMISSION**

1 Site Description

The site relates to an end of terrace, two storey, three bedroomed property located on the north side of Shearer Close which is part of a new development off Woolston Road. The property has an attached single garage which in turn sits adjacent two further garages - these are set back enabling the parking of a vehicle in front aswell. The dwelling is constructed of buff brick and red tiled roof.

Shearer Close is a very tight-knit development; there are flats on the corner with Freeley Road and Shearer Close and Prospect School opposite these to the west (a special school for boys aged 11-16; school capacity only 49 pupils). The area is densely developed with properties having the standard 10m rear gardens. The highway is block paved and the 'pavement' delineated by bollards, but surfaced in the same continuous block paving - a 'homezone style'. Pedestrian vehicle separation is therefore achieved but in a very informal way. The presence of the bollards prevents vehicles pulling up in front of houses - therefore there is no capacity in the vicinity for casual visitor or servicing parking.

To the rear of the application site is the current construction site of further dwellings off Woolston Road.

Within the rear garden of nos 1 the land slopes up slightly and the garden delineated with 5' close boarded fencing. A narrow passage-way wraps behind the rear garden providing a pedestrian link between the rear of the middle garage and nos 3 adjacent. The garden currently has a part decked area in the eastern half of the garden. The rear garden of the application site is larger than the majority by virtue of the extra width provided by the attached garage.

2 Planning History

03/61332/002 - Outline application for 135 dwellings, associated open space, new roundabout & vehicular access onto Woolston Rd, emergency access to Ramsdale Av & pedestrian/cycle link to Whaddon Court - Conditional permission 20/11/2007

NB/condition 8 states "No dwelling shall be occupied until car and cycle parking has been provided for that dwelling in accordance with the Council's adopted car and cycle parking standards and in accordance with details approved under the reserved matters. All such car and cycle parking provision shall thereafter be kept available for such purposes at all times. Reason: In the interest of highway safety and having due regard to policies T5 of the Hampshire County Structure plan 1996-2011 (Review) and

T9 of the Havant Borough District Wide Local Plan 1996 - 2011.

08/61332/004 - Reserved matters application for 135 dwellings ...as above -
Conditional permission 16/7/2008

NB/ condition 11 states "Notwithstanding the provisions of any Town and Country Planning General Development Order, no extension, building or structure permitted by Part 1, Classes A and E of the 1995 Order, as amended, shall be erected within the curtilage of the site without the prior written approval of the Local Planning Authority. Reason: In the interests of residential amenity and having due regard to policy D1 of the Havant Borough District Wide Local Plan 1996 - 2011.

3 Proposal

There are two current planning applications on the site - this one seeks to vary condition 8 to allow for the retention of the already converted garage to habitable accommodation.

Following a site meeting with the applicant, Miss Shepherd, the background to this application was explained: She purchased the property in October 2012 as a second owner - the previous owners had already ceased using the garage for the parking of vehicles as they had constructed the internal dividing wall approximately two-thirds into the garage to create an office and they had constructed the utility room extension to the rear (see 14/00190). At this time the only access to the utility and office was via the outside door and the reduced sized garage still had a concrete floor with up and over garage door, but too short for parking cars. In November 2012 Miss Shepherd began her further renovations and she installed the internal doors from the lounge to the reduced garage, enabling internal movement through the whole space. She has since also had the up and over garage door bricked up internally such that inside there is currently a standard plastered and painted wall, and wooden flooring has been laid. Externally the garage door remains, so from the street scene it is not evident that the change has occurred.

see also APP/14/00190 for retention of single storey rear extension.

4 Policy Considerations

National Policies
NPPF

Core Strategies 2011 forming part of the HBLDF
CS16 (High Quality Design)
DM13 (Car and Cycle Parking on Residential Development)

and Havant Borough Residential Parking and Cycle Provision Supplementary Planning Document, Adopted March 2010

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

5 Statutory and Non Statutory Consultations

Development Engineer: I have looked at the previous history of the Ramsdale Avenue./Woolston Road development and I recommend the application be refused based on the reason that loss of allocated parking will lead to the loss of amenity of residents in the surrounding area with special reference to the users of the school.

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: 6

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 0

Summary:

Comment:

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) Highways issues
- (iii) Precedent

(i) Principle of development

7.2 The site is located within a defined urban area whereby development is considered to be acceptable in principle subject to other development control criteria. Condition 8 of the outline application requires each dwelling to have car and cycle parking provided in accordance with the adopted standards, and such parking and cycle provision must be kept available for such purposes at all times.

7.3 The application site has 3 bedrooms. The current parking standards are provided by the adopted Havant Borough Residential Parking and Cycle Provision Supplementary Planning Document, March 2010 which requires such 3 bed dwellings to have 2 vehicular spaces and 2 long stay cycle spaces and 1 short stay cycle space. The application site originally had the necessary 2 parking spaces - one in the attached garage and one in the space in front of the garage. The garage would have doubled up for cycle storage.

7.4 Since the garage has been converted to living accommodation the site now only has the one vehicular space available in front of the garage. The utility room could however provide cycle storage. The site therefore has a shortfall of one car parking space which is contrary to the adopted standards. The effect of this shortfall and

whether there are any mitigating circumstances will be considered below:

ii) Highways issues

- 7.5 There are two aspects to highways issues in this case - both highway safety and the knock-on wider amenity issue. The loss of a single parking space is unlikely to result in a direct highway safety danger to users of the highway or pedestrians. However, the knock-on effect of the lack of that space resulting in wider, indiscriminate parking elsewhere in the locality could be detrimental to amenity through the inconvenience caused to local residents more generally.
- 7.6 Shearer Close is a tight-knit development with no casual/visitor/servicing parking spaces available. There is a special school at the junction with Freeley Road with likely limited sessional parking peaks. Due to the presence of the bollards defining the 'pavement' in the vicinity of the application site, it is not possible to 'bump-up' a vehicle onto the kerb whilst dropping off or waiting eg for deliveries. Therefore the parking standards of 2 spaces per 3 bed dwelling are a realistic requirement in this instance, giving each dwelling sufficient space to park a vehicle and accommodate a visitor on site as necessary.
- 7.7 The loss of the use of the application site garage means that any visitors or service vehicles to the application site have to park elsewhere in the area. Such displaced casual parking is likely to be on the curve of the junction of Shearer Close with Freeley Road, where there are no bollards, or in the parking bays in Freeley Road itself, which serve the flats opposite. The resultant parking elsewhere on the public highway in an ad hoc manner, could cause congestion and interrupt the free flow of traffic and cause a pedestrian inconvenience. Given the presence of the school and its inevitable peaks of traffic and cars at the beginning and end of each day, the area is already likely to have regular visitor parking. The addition of visitor and service vehicles to the application site in Shearer Close having to use these areas further afield, would put added pressure on these areas causing congestion, to the detriment of local residents.
- 7.8 Furthermore the occupiers of the application site, with only one vehicle parking space, have the inconvenience of having no conveniently adjacent service parking available. This would be detrimental to their residential amenity. Should visitors or service vehicles be tempted to stop outside the application site, then, due to the bollards, this would block the road, causing congestion and inconvenience to other users of Shearer Close.

(iii) Precedent

- 7.9 In this instance 'precedent' is considered a relevant consideration - the land use implications of similar such applications coming forward and their cumulative impact is considered a material consideration. Shearer Close is part of a development of 135 dwellings and all are of a high density. Further high density development is currently under way on land to the east behind the application site. Adequate parking for the future occupiers of all these dwellings has been accommodated in these recent permissions; but the area is not spacious enough to have excess parking. If the standards are allowed to be reduced for one property, without mitigating circumstances, this would make it difficult to resist similar cases in the future. The cumulative effect of this would be to displace parking indiscriminately in the wider area, causing congestion, to the detriment of the free flow of the highway network and detrimental to the amenity of other local residents.

- 7.10 Since no land use mitigating circumstances have been provided to justify a relaxation of the parking standards in this case, then, as a matter of principle, it is essential to protect the long term parking standards for the area as a whole.

8 **Conclusion**

- 8.1 It is considered that the loss of the garage for the parking of a vehicle would, given the areas high density and presence of bollards limiting casual parking opportunities, result in indiscriminate parking within the locality to the detriment of the free flow of traffic in the area which would cause an inconvenience and loss of amenity to local residents. The application would cause an undesirable precedent making it hard to resist similar applications in the future.

9 **RECOMMENDATION:**

That the Executive Head of Planning and Built Environment be authorised to **REFUSE PERMISSION** for application APP/14/00191

(A)

(B) for the following reasons

- 1 Due to the site's location within a high density development, having extremely limited on-street parking available, the loss of the parking space provided by the original garage, would leave only 1 space serving this 3 bed house which is contrary to the adopted parking standards. This lack of adequate on site parking would increase the risk of indiscriminate parking elsewhere in the locality which would interrupt the free flow of traffic causing congestion and be detrimental to residential amenity through the inconvenience caused to local residents. Furthermore the proposal would create an undesirable precedent, making it hard to resist similar applications in the future, the cumulative effect of which would exacerbate the congestion and loss of amenity to local residents. The proposal is therefore considered to be contrary to policies DM13 and CS16 of the Havant Borough Local Development Framework Core Strategy 2011 and the Havant Borough Residential Parking and Cycle Provision Supplementary Document, 2010.