

DELEGATED OFFICER REPORT

PROPOSAL	Application for Non-material amendment to Planning Permission APP/22/01177 relating to site frontage.
LOCATION:	108 Woodgreen Avenue, Havant, PO9 3EE
REFERENCE NO:	APP/26/00388
APPLICANT:	Mr Mark Urry
APPLICATION TYPE:	Non-Material Amendment
CONSULTATION EXPIRY DATE:	16/07/2026
APPLICATION EXPIRY DATE:	29/06/2026
WARD:	Bedhampton
SUMMARY RECOMMENDATION:	Approve with conditions

1. Site Description

This application site comprises a two storey end of terrace property located on the west side of Woodgreen Avenue, Havant. This property is of brick construction with a pitched roof. The proposal site comprises the area of side garden located directly to the south of the dwelling which is sited on a corner plot where Woodgreen Avenue meets Fraser Road. The plot is set on a rise as land levels incline from east to west. The area of side garden is currently surrounded by a low brick boundary wall and however retains an open boundary with the public highway.

The area is predominantly residential in character, with Havant rugby club and grounds located to the west of the site.

It is understood that development has already begun at this site.

2. Planning History

54/03093 - for layout of roads, etc. for residential development, UNK, 13/08/1954
APP/18/00885 - Proposed 2No. 1 bed dwellings with associated parking and bin storage., REF, 10/12/2018 - appeal dismissed

APP/22/01177 - Erection of 1No. 2bed dwelling with shed, bin storage and parking.PERM- 02.06.2023 (work has begun)

3. Proposal

- 3.1 The application seeks approval under Section 96A of the Town and Country Planning Act 1990 to Planning Permission APP/22/01177 for a non-material amendment to reduce the number of approved car parking spaces by one.

4. Policy Considerations

In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the Planning Considerations section of the report.

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

CS11 (Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS14 (Efficient Use of Resources)
CS15 (Flood and Coastal Erosion)
CS16 (High Quality Design)
CS17 (Concentration and Distribution of Development within the Urban Areas)
CS19 (Effective Provision of Infrastructure)
CS20 (Transport and Access Strategy)
CS21 (Developer Requirements)
CS8 (Community Safety)
CS9 (Housing)
DM10 (Pollution)
DM13 (Car and Cycle Parking on Residential Development)

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)
DM18 (Protecting New Development from Pollution)
DM24 (Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)
AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements)

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

5. Statutory and Non Statutory Consultations

Michael Lind

No comment received

Philippa Gray

No comment received

Jason Beal

No comment received

County Highways Team

The application is seeking an NMA to planning application APP/22/01177 with a revised parking layout. The revised layout through the NMA (drawing 01 Rev H) removes the existing parking from the front of the property with a single parking space retained to the rear of the dwelling. This is an existing access arrangement and therefore no alterations are required. The Planning Authority in their capacity as the Local Parking Authority should be satisfied that the proposed parking quantum is acceptable for the development. Having regard to the above, the Highway Authority provide no objections to this application subject to the LPA being satisfied with the proposed parking provision.

6. Planning Considerations

6.1 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.

6.2 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
- (iv) Impact on parking

(i) Principle of development

6.3 The principle of residential development on the site is already established through APP/22/01177. This proposal seeks to remove one parking space from the site, as previously approved under APP/22/01177 due to Highways issues raised due to the proximity to the junction. These issues have been raised post decision via separate Highways legislation. The one parking space to the rear of the site would be retained .

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

6.4 The front of the site would be laid to lawn with a pedestrian pathway leading to the highway. No harm has been identified to the character of the area as a result of this alternative proposal.

(iii) Effect on neighbouring properties

6.5 No harm has been identified to neighbouring properties as no additional development is proposed.

(iv) Impact on parking

6.6 This proposal would result in a deficit of one parking space when assessed against the requirements of the Havant Parking SPD. The Highway Authority has confirmed that it raises no objection to the application, subject to the Local Planning Authority, in its

capacity as Local Parking Authority, being satisfied that the proposed parking provision is acceptable. Whilst the shortfall is noted, the approved dwelling has now been constructed, one off-street parking space would remain to the rear, and there appears to be some capacity for on-street parking within the nearby vicinity. On balance, the one-space deficit is not considered to result in such wider on-street parking pressure as to warrant refusal, and the proposal is therefore considered acceptable in parking terms.

8 Conclusions

- 8.1 The proposed reduction in parking does not materially alter the nature or impacts of the approved development. The Highway Authority has raised no objection, subject to the Local Planning Authority being satisfied with the proposed parking provision, and the identified one-space shortfall is not considered to give rise to unacceptable parking impacts. The amendment is minor in scale and satisfies the Section 96A test. It is therefore recommended for approval.

9. RECOMMENDATION:

That the Interim Head of Planning be authorised to Approve with conditions for application APP/26/00388

Conditions:

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

PL.613.22.01 H Proposed plans
Arboricultural Implications Assessment/Statement and Tree Protection Plan 'Arboricultural Consultant: Kim Gifford 07831488456 dated 3rd October 2018'

Reason: To ensure provision of a satisfactory development.

Informatives:

1 In accordance with paragraphs 38-50 of the NPPF Havant Borough Council (HBC) takes a positive and proactive approach and works with applicants/agents on development proposals in a manner focused on solutions by:

- Offering a pre-application advice service, and
- Updating you of any issues that may arise in the processing of your application and where possible suggesting solutions, and,

In this instance:

- Your application was acceptable as submitted and no further assistance was required.