

8 Highbury Way Portsmouth PO6 2RH**RETROSPECTIVE APPLICATION FOR THE CONSTRUCTION OF 2NO. REAR OUTBUILDINGS****Application Submitted By:**

Mr Derek Lindsay
Solent Design Ltd

On behalf of:

Mr Asghar Shah

<https://publicaccess.portsmouth.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=RNx447MOG9U00>

RDD: 4th January 2023

LDD: 2nd March 2023

1.0 SUMMARY OF MAIN ISSUES

1.1 The application has been brought to the Planning Committee for determination at the request due to the applicant a Member of the Council.

1.2 The main issues for consideration are:

- The principle of the development;
- Design;
- Impact on residential amenity;

2.0 SITE, PROPOSAL AND RELEVANT PLANNING HISTORY**2.1 Site and Surroundings**

2.2 The application site comprises a two storey semi detached dwellinghouse on the corner of Highbury Way and The Old Road. Prior to the relevant developments occurring, the property was served by a driveway leading to a detached garage, which was connected to the main dwelling by a brick wall that separated the rear and front gardens. Planning permission was granted in 2020 for a new roof on the existing garage, which has been implemented.

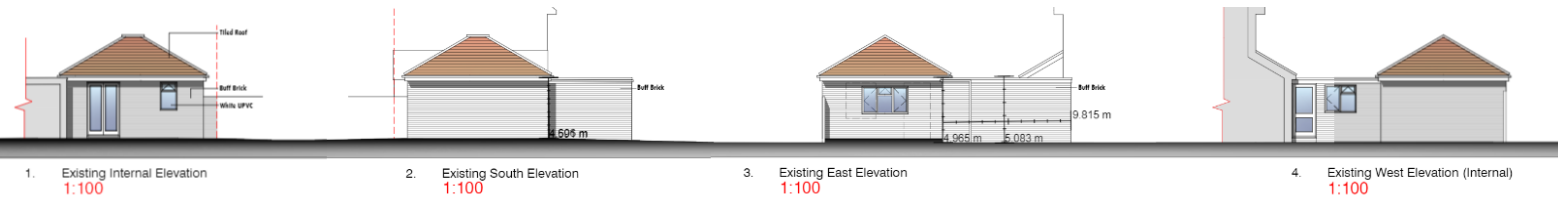
2.3 Proposal

2.4 Planning permission is sought to regularise a development that has already been undertaken. It was found to require further planning permission subsequent to its completion and further to an Enforcement Investigation. The development can be summarised as the construction of an outbuilding which joins the existing rear (former) garage building (now playroom) to the main dwellinghouse (in the place of the previous garden wall). Due to the new store building being connected to both the main dwellinghouse and the existing converted garage, both buildings are technically considered to form an "extension" to the main dwellinghouse. The recent store "extension" does not comply with the requirements of Part 1 Class A of the General Permitted Development Order (GPDO), notably being closer to the highway than the original dwelling. It should be noted that while, due to its conjoined construction, the development is technically considered an "extension" to the original dwellinghouse, both

of the buildings require the user to exit the main house into a rear yard and enter either building independently. Therefore, in practical terms, it is reasonable to consider them both as separate outbuildings. While the alterations to the previous garage buildings have already received planning permission, they have been included again in this regulation application, it is assumed for clarity.

2.5 The new store building (which has already been constructed) is 2.3m in height (when measured from the highest point of natural ground level, as per the Planning Practice Guidance), 4.9m in length and 3.5m in width (as viewed from the North).

2.6 The images below show the elevations and "extension" in situ.



2.7 PLANNING HISTORY

2.8 The site's most relevant planning history is listed below:

- 20/00146/HOU - Alterations to an existing garage including the change from a flat roof to a pitched roof - APPROVED.

3.0 POLICY CONTEXT

3.1 In addition to the aims and objectives of the National Planning Policy Framework (2021), the relevant policies within the relevant policies within the Portsmouth Plan (Jan 2012) would include:

- PCS23 - Design & Conservation

4.0 **CONSULTATIONS**

4.1 Contaminated Land - suggest informative.

5.0 **REPRESENTATIONS**

5.1 No representations received.

6.0 **COMMENT**

6.1 The main issues for consideration are:

- The principle of the development;
- Design;
- Impact on residential amenity;

6.2 **Principle of the development**

6.3 The additional store building are uses of the buildings constructed are considered acceptable in the residential area and is a proportionate addition to the dwellinghouse.

6.4 **Design**

6.5 The recently built store and converted garage are both of good quality construction and relate well to the main house. The buildings, when considered as a whole, are suitably sited and visually subservient features of the main dwellinghouse.

6.6 **Impact on residential amenity**

6.7 The existing playroom (former garage) as approved pursuant to 20/00146/HOU remains as approved and therefore there is no further impact on any neighbours. The new store outbuilding sits between the house and the converted garage and is set sufficiently away from the site boundaries. There is therefore no adverse impact on any neighbours from the development. The additional built form would also be partially obscured by foliage in views from The Old Road and would appear in passing to be one of two modestly sized outbuildings without being notably imposing or dominant in the street scene.

6.8 **Other matters**

6.9 The fact that the application is partly retrospective should have no bearing on whether or not the scheme is acceptable in this case and should be treated like any other application.

6.10 The unauthorised store building would not compromise the existing driveway for which acceptable levels of off-street parking would remain for the dwelling. The highway matters were addressed as part of the previous approval for the garage conversion.

7 **Conclusion**

7.1 The application is acceptable and should be granted planning permission. While an approved plans condition can be imposed for clarity no other conditions are proposed as the scheme has already been built.

RECOMMENDATION

Conditional Permission

- 1) Unless otherwise agreed in writing by the Local Planning Authority, the permission hereby granted shall be carried out in accordance with the following approved drawings - Drawing numbers: SD-2257-01 A 'Proposed Plans & Elevations'

Reason: To ensure the development is implemented in accordance with the permission granted.

PRO-ACTIVITY STATEMENT

In accordance with the National Planning Policy Framework the City Council has worked positively and pro-actively with the applicant through the application process, and with the submission of amendments an acceptable proposal has been achieved.

Informative:

The property is near an active petroleum station. In the event that any signs of pollution (odour, oily, ashy, odorous or fibrous materials, staining or unusual colouration of the soil, asbestos fragments or fibres, inclusions of putrescible materials, plastics, or actual remains from a past industrial use) were found in the soil at any time when carrying out the approved development it must be reported in writing to the Local Planning Authority (LPA). The LPA will then consider if the findings have any impact upon the development.