



# NOTICE OF MEETING

**Meeting:** Planning (Enforcement) Sub-Committee

**Date and Time:** Monday, 9 September 2013 at 10.00 am

**Place:** Council Chamber, Civic Offices, Fleet

**Telephone Enquiries to:** 01252 774126 (Martine Fullbrook)  
email: [martine.fullbrook@hart.gov.uk](mailto:martine.fullbrook@hart.gov.uk)

**Members:** Bennison, Billings, Blewett, Kennett, Parker, Southern

G Bonner  
Chief Executive

CIVIC OFFICES, HARLINGTON WAY  
FLEET, HAMPSHIRE GU51 4AE

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## AGENDA

**COPIES OF THIS AGENDA ARE AVAILABLE IN LARGE PRINT  
AND BRAILLE ON REQUEST**

### **I MINUTES OF PREVIOUS MEETING**

The Minutes of the meeting held on Monday, 1 July 2013 are attached to be confirmed and signed as a correct record. **(Paper A)**

### **4 APOLOGIES FOR ABSENCE**

### **5 CHAIRMAN'S ANNOUNCEMENTS**

### **6 DECLARATIONS OF INTEREST**

To declare disclosable pecuniary, and any other, interests.

**7 DUNSHEEN, FIRGROVE ROAD, YATELEY, GU46 6QD I3/00 I43/OPERAT**

A report from the Head of Planning Services is attached (**Paper B**)

**Note:**

A meeting of the Enforcement Panel will consider outstanding cases (including those with Legal) at the conclusion of the meeting. These will be sent electronically to Members a week before the meeting to ensure they are up-to-date.

**Date of Despatch: 27 August 2013**

The Human Rights Act 1998 (the Act) has incorporated part of the European Convention on Human Rights into English law. Any recommendation either to take or not to take enforcement action has been assessed to make sure that the decision is compatible with the Act. If there is a potential conflict, this will be highlighted in the individual report on the relevant item.

**ENFORCEMENT CASE REFERENCE NO: 13/00143/OPERAT**

**COMMITTEE REPORT ITEM NUMBER:**

**EXECUTIVE SUMMARY**

<b>Site Address</b>	Dunsheen, Firgrove Road, Yateley, Hampshire, GU46 6QD
<b>Nature of Complaint</b>	Erection of porch.

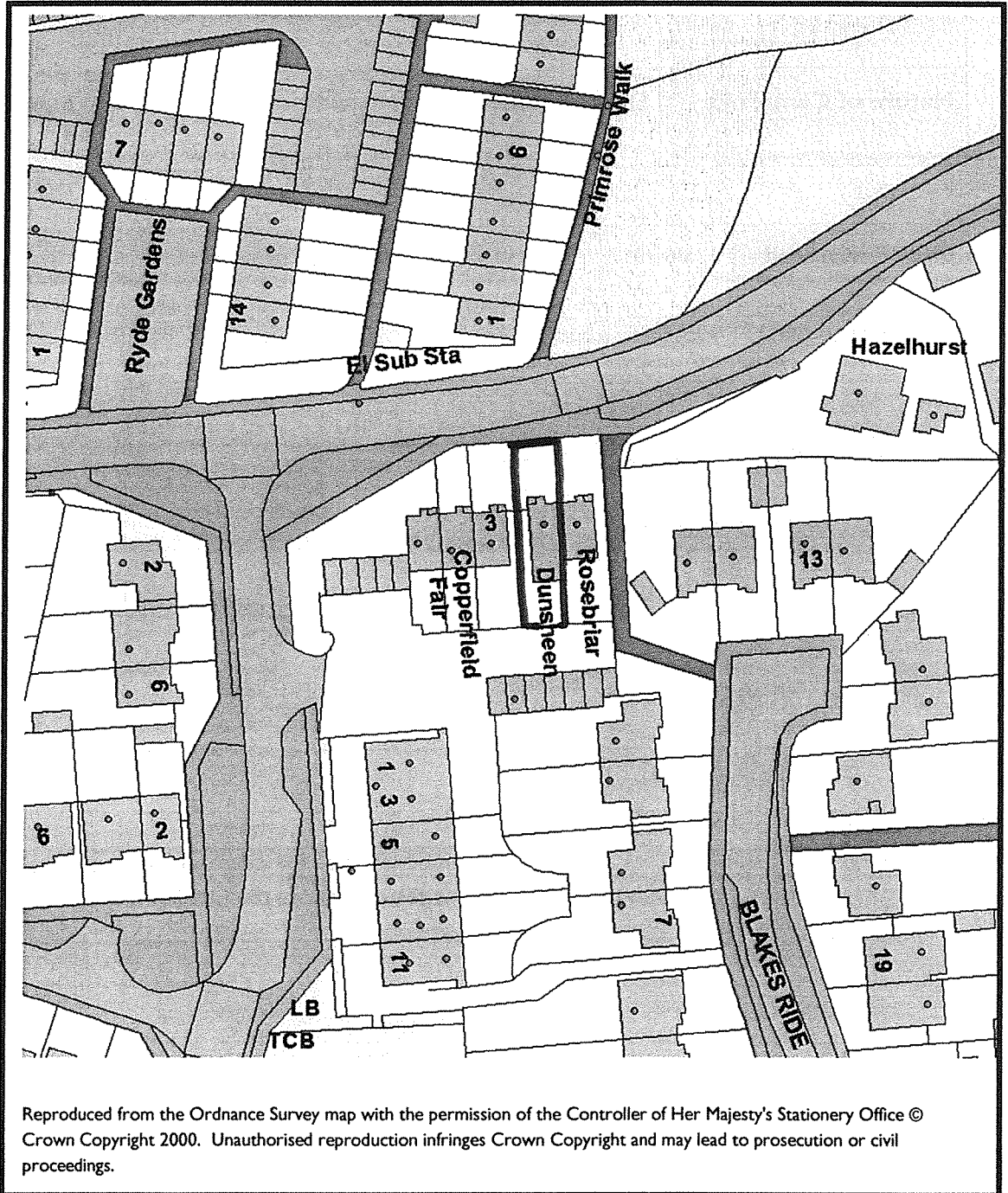
<b>Date Registered</b>	12.06.2013	<b>Case Officer</b>	Mrs Sylvia O'Connor
<b>Committee Date</b>	10th September 2013		
<b>Ward Member</b>	Cllr Mark Murphy	<b>Parish Council</b>	Yateley
<b>Date Received</b>	12.06.2013		

<b>Nature of Complaint</b>	Erection of porch.
<b>Officer Recommendation</b>	That no further action be taken as the development is not considered to cause material harm to the amenity of the locality.



Application Ref: 13/00143/OPERAT

**Location Map of Application Site**



**Dunsheen  
Firgrove Road  
Yateley  
Hampshire GU46 6QD**

## **THE SITE**

Dunsheen, Firgrove Road, is a semi-detached 1970's dwelling house. There is a garage in a block which is accessed from Aylesham Way. The front garden of the property was originally laid to lawn with a footpath leading from the adjacent pavement to a small flat roofed open fronted porch.

The porch on this property and the other houses built under the same planning permission were all built to the same flat roofed open fronted design.

## **ALLEGATION**

The current occupant of the property has enlarged the original porch by bringing it further forward, enclosing it and pitching the roof. The street elevation is finished in render and the apex is tile hung. The front door is white UPVc, similar to the existing white UPVc windows.

The porch as altered has a ridge height of 3.6 metres and measures 1.54 metres in depth and 2.52 metres in width. The finished ground area, measured externally is 3.88 square metres.

The altered porch requires an application for planning permission as the finished height exceeds the permitted development limit of 3 metres and the ground area exceeds the permitted development limit of 3 square metres.

## **RELEVANT PLANNING/ENFORCEMENT HISTORY**

HDC 2211 – Erection of a pair of semi-detached houses and three terraced houses with five garages. Approved with conditions 14th April 1976.

Permitted development rights for extensions and alterations remain in place.

## **RELEVANT PLANNING POLICIES**

Saved policies GEN 1, GEN 4 and URB 16 of the Hart District Local Plan and Planning Enforcement Policy PE 1.

## **CONSIDERATIONS**

The property is an ordinary urban dwelling house situated in a large housing development of similar urban style houses built in the 60s and 70s. The property bounds the Yateley Green Conservation Area which borders the property but does not include it.

The altered porch is considered to be of reasonable design and well constructed. The scale of the building has prompted the complaint and in this regard it is considered appropriate to

assess the development against what could have been constructed within the limits of permitted development. The current occupant of the property has been asked to submit a retrospective planning application for the porch but at the time of writing this report no application has been submitted.

Saved Policies GEN1(i), GEN4 and URBI6(i) permit development where the proposal is well designed, is in keeping with the local area and sympathetic to the existing dwelling. The NPPF advises the LPA to take account of the character of different areas and attaches great weight to the importance of good design.

The increase in size and the change in design to the original porch has resulted in a porch which stands out in the street scene. The houses either side of the property retain their original porches. The porch on the house in the middle of the adjacent terrace has been altered at some point and a pitched roof added. However the changes to this porch, while not of a good standard are minor in nature and would not have required planning permission.

Planning policy GEN 1(i) requires development to be in keeping with the local character by virtue of its scale, design, materials and prominence. The Urban Characterisation and Density Study describes this part of West Yateley as 'a large estate of mixed detached, semi-detached and terraced housing including a small local shopping centre. The sensitivity to change is described as medium.

When assessing the impact on the street scene and looking at the houses either side of this property it could be considered that the porch is a discordant feature as the other houses all have porches which are similar to each other both in scale and design.

However the street view is a wider element which incorporates views in all directions. When viewed from the west the porch is seen in conjunction with the houses on the north side of Firgrove Walk at Ryde Gardens and Primrose Walk and a long run of poor quality fencing on the boundary of these properties. When viewed from the west the porch is seen against a run of urban housing dating from the 60's/70's with no defining character and an expanse of urban development beyond.

In considering whether it is expedient to take formal enforcement action it is necessary to determine whether or not the unauthorised development causes material harm and whether a retrospective planning application would be likely to be granted unconditionally.

The materials which have been used on the porch could have been used to construct a porch built within the limits of permitted development rights. While they differ from those used on the main house and are different to other houses in the area they do not appear to be poor quality.

The house measures approximately 5 metres in width and the porch occupies approximately half the width of the house, as did the original porch. The original porch reached a point

slightly above the top of the ground floor window, the porch as altered extends almost to the bottom of the first floor window. Under permitted development legislation the height of the porch would need to be 0.6 metres lower than has been constructed, a reduction in height of approximately 16 per cent. The depth of the porch would have to be reduced by approximately 0.5 metres to bring the ground floor area within the limits of permitted development legislation, a reduction of 20 per cent.

Current permitted development rights allow the construction of porches to a certain limit regardless of the size of the host property. In this case the main house is quite small and the porch appears large by comparison. There is sufficient space in the front garden between the porch and the street. It is difficult to conclusively determine the potential harm to the locality as the porch has not yet been finished as the render has not been painted. However based on the works so far and having regard to PE I it is considered that while the porch exceeds the limits of permitted development the extra volume created by the development does not currently cause material harm to the locality or the adjacent Yateley Green Conservation Area.

## **RECOMMENDATION**

That no further action be taken as the development is not considered to cause material harm to the amenity of the locality.





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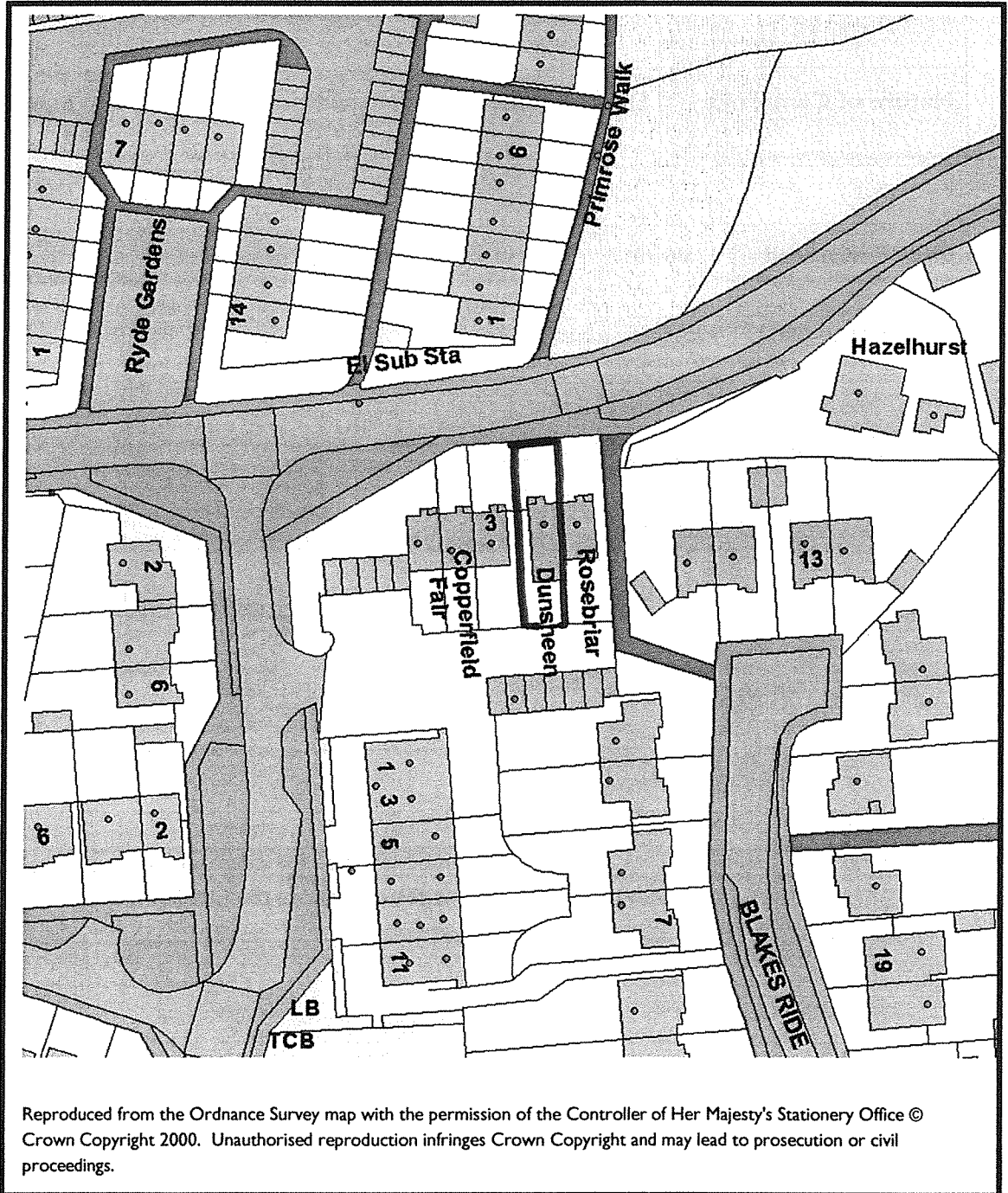
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## **RECOMMENDATION**

That no further action be taken as the development is not considered to cause material harm to the amenity of the locality.

## **PLANNING (ENFORCEMENT) SUB COMMITTEE**

**Date and Time:** Monday, 9 September 2013

**Place:** Council Chamber, Civic Offices, Fleet

**Present:**

### **COUNCILLORS**

Bennison (Chairman)

Billings, Blewett, Kennett, Parker, Southern

Officers Present:

Robert Jackson	Development Control Manager
Sarah Castle	Principal Planning Officer
Sharon Whittaker	Enforcement Officer
Melanie O'Sullivan	Shared Legal Services
Gill Chapman	Business Support

### **9 MINUTES OF PREVIOUS MEETING**

The minutes of the meeting held on Monday, 1 July 2013 were confirmed and signed as a correct record.

### **10 APOLOGIES FOR ABSENCE**

None received.

### **11 CHAIRMAN'S ANNOUNCEMENTS**

None.

### **12 DECLARATIONS OF INTEREST**

No declarations made.

### **13 DUNSHEEN, FIRGROVE ROAD, YATELEY, GU46 6QD I3/ 00 I43/ OPERAT**

A report from the Head of Planning Services was considered. The porch was slightly over the permitted development limit and required planning permission, and the scale of the building had prompted complaints. Members were informed that the owner had been encouraged to put in a planning application for the porch but had refused. Members discussed the impact on street scene, the outward appearance of the porch and the height of the roof. After consideration, and exploration of the options available to them, Members agreed the following:

## **RESOLVED**

That, in order to lessen the impact on the street scene, enforcement action be taken to require the owner to comply with the following requirements within 3 months:

- 1      Bring the roof height down to a height no greater than 3m above ground level and that it should be hipped
- 2      Put a brick covering on the porch to match the existing building.

The meeting closed at 10.30 am.