

## Planning Officer's Report – LDCA August 2020

<b>APPLICATION</b>	<b>2020/48</b> – Retrospective Verandah Extension to Existing House.
<b>PERMISSION SOUGHT</b>	Permission in <b>Full</b>
<b>REGISTERED</b>	29 <sup>th</sup> June 2020
<b>APPLICANT</b>	Neil & Deborah Fantom
<b>PARCEL</b>	JT00013
<b>SIZE</b>	0.02 acres (108m <sup>2</sup> )
<b>LAND OWNER</b>	Neil & Deborah Fantom
<b>LOCALITY</b>	Jamestown
<b>ZONE</b>	Intermediate
<b>CONSERVATION AREA</b>	Jamestown Conservation Area
<b>CURRENT USE</b>	Residential
<b>PUBLICITY</b>	The application was advertised as follows: <ul style="list-style-type: none"><li>▪ Independent Newspaper on 3<sup>rd</sup> July 2020</li><li>▪ A site notice displayed in accordance with Regulations.</li></ul>
<b>EXPIRY</b>	17 <sup>th</sup> July 2020
<b>REPRESENTATIONS</b>	None Received
<b>DECISION ROUTE</b>	<del>Delegated</del> / <b>LDCA</b> / <del>EXCO</del>

### A. CONSULTATION FEEDBACK

a) Sewage & Water Division	No Objection
b) Energy Division	No Objection
c) Fire & Rescue	No Response
d) Roads Section	No Objection
e) Property Division	No Response
f) Environmental Management	No Objection
g) Public Health	No Objection
h) Agriculture & Natural resources	No Response
i) St Helena Police Services	Not Consulted

*Report Author: P Scipio*

*Authorised by: I Mohammed (CPO)*

*Report Date: 05 August 2020*

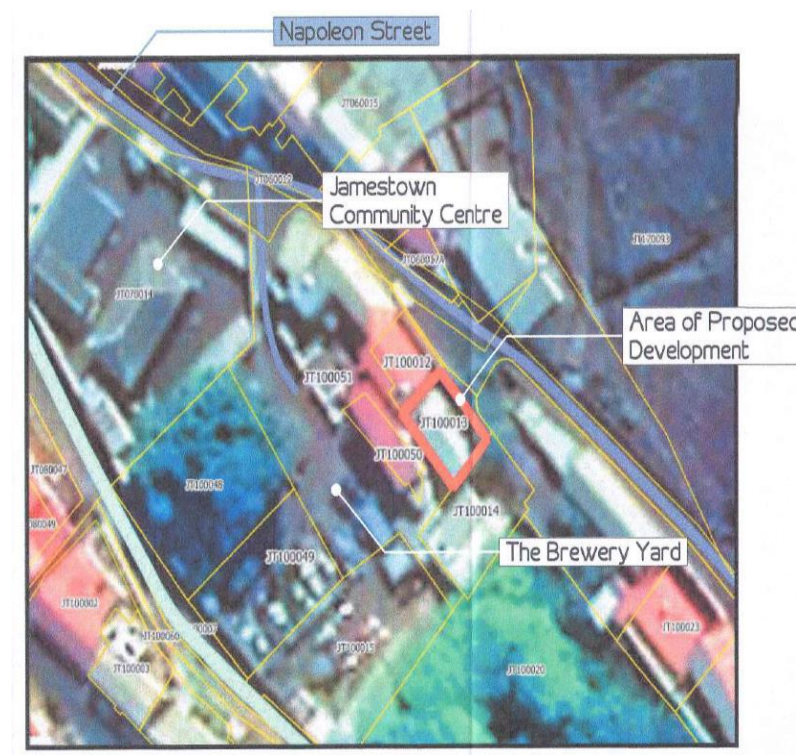
*Application 2020/48*

j) Aerodrome Safe Guarding	Not Consulted
k) Enterprise St Helena (ESH)	No Objection
l) National Trust	No Objection
m) Sure SA Ltd	No Objection
n) Heritage Society	No Response

## B. DEVELOPMENT DETAILS SUMMARY

This is a retrospective development application for a verandah extension onto an existing house that has already been constructed. The issues arose due a complaint from the owner of the neighbouring property and the owners were advised that the construction works undertaken constitute development and planning permission is required. Furthermore, the property is within a proposed conservation area and the works affect the historic character of the area.

### Diagram 1: Location Plan



The property is located in the south-east corner within the Brewery Yard, on the western side of Napoleon Street. There are number of buildings all in a close cluster in this corner of the Brewery Yard and the development is situated adjacent to and connected to other residential buildings both on its north and south sides, and thus any proposed development extensions will inevitably be connected to the adjacent buildings and with access and space between the buildings being quite narrow.

The Brewery Yard is in the intermediate zone under the Jamestown registration Section. It is within the Proposed Jamestown Conservation Area and therefore the Land Development Control Plan 2012–2022 policies IZ1, NH1 and BH1 apply.

The site, parcel JT00013 is approximately 108m<sup>2</sup> and sits adjacent to sites both on its north and south sides. The site boundary is marked by the extremities of the building.

### **The Development Undertaken (Retrospective)**

The development application is for a verandah extension to an existing dwelling house in an already congested residential area. The development includes erection of a timber framed structure with a metal roof cover on top of an existing concrete pavement. The timber structure consist of 100x100mm post, 75x50mm railings with vertical spindles placed at 100mm min apart, timber roof structure with inverted box ribbed metal roofing. Total area of 16.391m<sup>2</sup>.

### **Diagram 2: Front Elevation (Before Alterations)**



A timber structure has been built onto an existing concrete base that was used as a narrow patio to the property, where the residents could sit out. The patio area is approximately 350mm higher than the pathway that runs in front of the property. There two steps central to the building that lead to the front door. The verandah

structure is basic, consisting of timber post, rafters and purlins with an inverted box ribbed metal roof. Safety rails are timber and complies with the current building regulations.

The existing house is connected to neighbour's houses both on its north and south sides thus any extension that aligns with the external walls will inevitably be connected to the adjacent buildings.

**Diagram 3: Front Elevation (During Construction)**

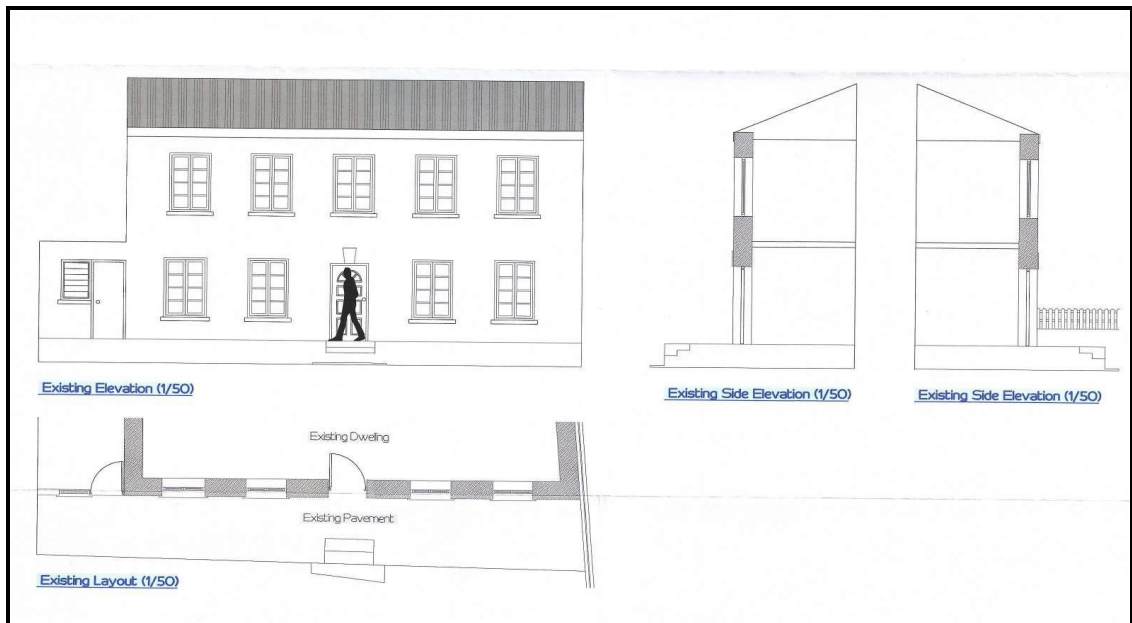


**Diagram 4: Front Elevation (After Construction)**

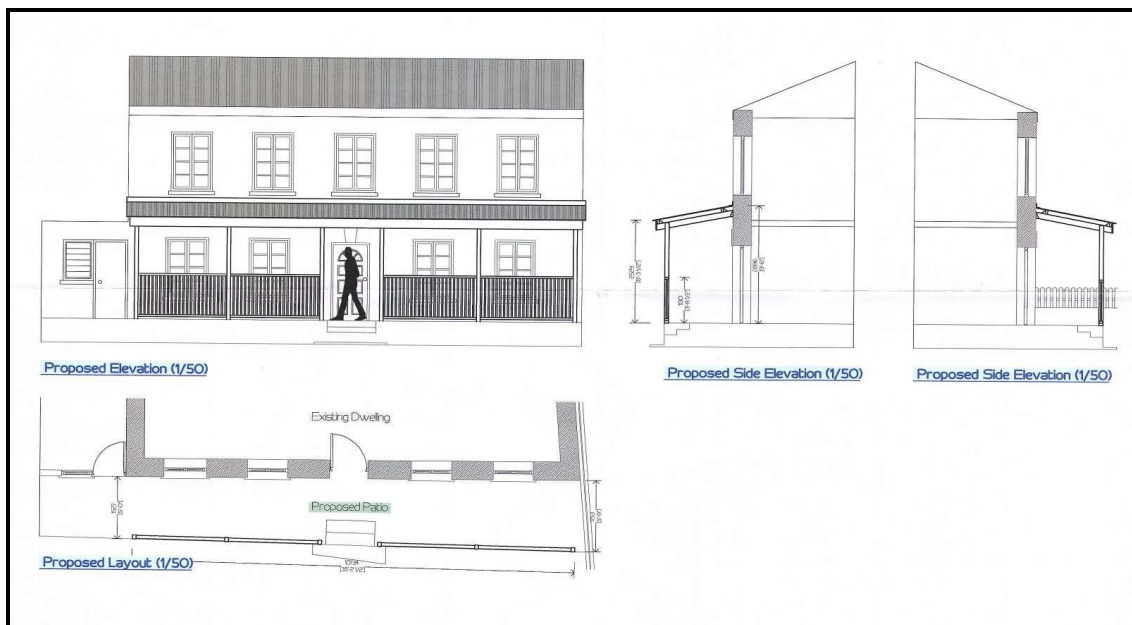




**Diagram 5: Plan & Elevations (Existing)**



**Diagram 6: Plan & Elevations (Proposed)**



### **C. PLANNING OFFICER'S APPRAISAL**

Prior to the works being undertaken, the property and the area had a very open feel with a narrow patio area. The construction of the verandah has created a closed area to the building and the area and the detail to the building being obscured by the projected roof. Whilst the building is not listed, probably being constructed during the middle of 20<sup>th</sup> century, however it is a well-designed two storey building with five equally portioned bays with a doorway in the central bay and eight panel glazed windows at first floor level above the door. There are similar style windows to the side of the doorway and at first floor level providing a symmetry in the front

elevation. Whilst a verandah erected to the ground level is a very common feature for many residential properties, however in this instance the verandah is considered to be not in-keeping with the overall design of the building and looks very much like an "after-thought" in the development.

Due to such narrow space between the buildings, the development has now created a tunnel.

## **REPRESENTATIONS**

There was one representation received from the owner of the neighbouring property who originally brought this to the attention of the Planning Team, because in 2013 he was required to seek planning permission for undertaking works to his property. He has raised objection to the development which relate to the impact caused by the development to his property and are summarised below:

Material concerns were as follows:

1. That this development cannot be a proposal for permission as the submitted planning application states because the development has been built to completion.
2. He was not consulted or in any way informed by owner of the property before the proposed verandah extension was undertaken.
3. The extension protrudes and connects to and overhangs his boundary which will create difficulties in performing maintenance to his front boundary wall in the future.

## **OFFICERS COMMENTS**

While the planning advert incorrectly stated proposed development as this is how the applicant has stated in the application, however the application has been processed as a retrospective and adjoining neighbours and any other interested parties had the opportunity to review the development application during the advertisement period and make any representation. The fact that the development application is retrospective does not automatically imply that it will receive planning approval. The same planning process will be followed when the report on the development application is discussed to assess the impact of the development against the policies outlined in the Land Development Control Plan 2012-2022 (LDGP) that apply to the development and a decision made as to whether the development as undertaken is considered to be acceptable.

The report highlights the issues with development such as boundary overstepping, appearance, obstruction to neighbours, storm water runoff etc. and can impose

additional conditions if so required to overcome these concerns to make the development acceptable. However, there could also be issues that are highlighted in this report that will need to be resolved between the applicants and their neighbours.

The issue of access to undertake maintenance is not a planning issue as many developments take place abutting a boundary and to access the property to undertake work may require the permission of the landowner. Whether a permission is granted or not is a civil matter. Similarly, in this case the neighbour is claiming that part of the roof of the verandah is over hanging on his land. If the proposed design is acceptable, then whether it can be constructed is an issue for the applicant to overcome. In this instance as it has already been constructed, then it is a matter for the two neighbours to resolve.

Similarly, whilst applicants are advised as good practice to discuss their proposal with their neighbours and anyone who may be affected by their development proposal, however it is not necessity or requirement by regulations.

## **POLICY CONSIDERATION**

The relevant policies of the Land Development Control Plan (LDCP 2012 - 2022) that are applicable in the assessment of the proposed development are set out below:

- Intermediate Zone: Policies IZ1 (a, b, f, g and h)
- Built Heritage: BH1 (c)
- Sewage, storm and Drainage: Policies SD1 (b)

## **OFFICER'S ASSESSMENT**

The development of the verandah as can be assess from the before and after photographs of the building in the context of the surrounding area, the construction has become a prominent feature of the building, which is altered the character of the front elevation and the area considerably. It does not appear to enhanced and/or improved the appearance and as regards to the conservation of the area, it is considered to have considerable impact on the character of the Area by reference to scale, proportion, details and external materials.

The construction of the verandah has taken away the simplicity of the design details and given it a common look that appears to be feature for many properties. However some of the veranda features work well for other developments that have considerable openness and wider view. In this instance due to the lack of space around these cluster of buildings, the development narrowed further an already very narrow area between the buildings and has created a more costa-phobic feel to the

area. The appreciation of simplistic design details to this building has been altered with the construction of the verandah. The construction is therefore considered to be not in keeping with character of the original building and its impact on the setting of these cluster of building is considerable.

The roof water from the extension has been allowed to flow onto the existing foot path via a downpipe which is common practice with many of the houses in the Jamestown area. However, this can be overcome by connecting to the main existing drainage line as was the existing house roof water.

While the frame structure of the verandah is approximately 150mm away from the neighbours boundary wall to the south, the roof and subsequent barge and fascia boards overhang the adjacent boundaries both on the south and west sides. (see images below). This could possibly be overcome by making alterations to the roof, but from a design perspective it is considered to be a more a civil matter between the neighbours across a shared boundary, and therefore, this is an issue that will have to be resolved between the applicants and the owners of the adjacent properties.

**Diagram 7 and 8: Images of roof overhanging adjacent properties**



Overall the construction of the verandah has materially altered the character and appearance of the front elevation of this property within a conservation area. It has also considerably reduced the openness of the walkway by enclosing the ground level. It is therefore considered that construction as undertaken does not meet the objective of the Built Heritage policies BH1(c) and BH2.