

APPEAL STATEMENT OF CASE
On behalf of Mr Azad Gulabakh

2 Chalton Crescent
Havant
PO9 1PT

Planning Application ref. APP/19/01237

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1.0 INTRODUCTION

- 1.1 I am Abdul Hasnath of studioAH Architects, 1 Roebuck Close, New Milton, Hampshire an independent practice of architect
- 1.2 I hold a MArch in Architecture from Arts University Bournemouth and I am a registered architect.
- 1.3 I have worked for studioAH Architects as Director and Project Architect since 2019
- 1.4 I have experience in the design of residential accommodation in the region
- 1.5 This appeal is made on behalf of Mr Azad Gulabakh against reason 1 (Out of Character) of the outline planning permission ref. APP/19/01237:

The proposed rear dormer with external spiral staircase and overhanging landing constitutes an over large and dominant form of development that would have a detrimental effect on the appearance of the host dwelling house and residential character of the area. By virtue of the siting adjacent a public footpath the proposal would be visually prominent and have an adverse effect on the visual amenities of the area. The proposal is therefore contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, emerging policy E1 of the Havant Borough Local Plan 2036, Pre-Submission Draft, and the National Planning Policy Framework.

And also reason 02 (Residential Amenity) of the outline planning permission ref: APP/19/01237:

The use of the proposed external spiral stairs and landing would be likely to give rise to direct overlooking of adjacent properties to the detriment of the amenities of the occupants of these properties. The use of the spiral stairs and landing area would also result in additional noise and disturbance, harmful to the quiet enjoyment of neighbours amenity. The proposal is therefore contrary to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011, emerging policies E1 and E22 of the Havant Borough Local Plan 2036, Pre-Submission Draft, and the National Planning Policy Framework.

- 1.6 This statement comprises five sections:
1. Introduction
 2. Appraisal of the site
 3. Submitted Scheme
 4. Observations upon the decision being appealed
 5. Conclusion
- 1.7 Appendices are found at the back of this document.

2.0 SITE APPRAISAL AND CONTEXTUAL ANALYSIS

- 2.1 The appeal site is number 2 Chalton Crescent, within the urban area of Havant.
- 2.2 Chalton Crescent is a long road with detached, semi-detached and terraced properties set back from the street frontages with medium sized gardens (See appendix 1).
- 2.3 The existing dwelling on the site is a two storey end terrace property.
- 2.4 The house sits slightly above street level behind a medium sized front garden. A low level brick wall determines the site boundary. To the rear is another medium sized garden with close boarded fencing to help define the site boundaries.
- 2.5 The current ridge height is 8.47m.
- 2.6 To the left of the site is a public footpath. Close boarded fencing separates the rear garden of the site to the footpath. A gate allows for side entry to the rear garden from the public footpath.
- 2.7 To the right of the property is another dwelling of similar characteristics with a continuing ridge/eaves line.
- 2.8 Directly to the south of the property is open green space.
- 2.9 Residential car parking is provided all along Chalton Crescent.
- 2.10 Driveway parking is prominent along the eastern and western parts of Chalton Crescent (see appendix 2).

3.0 THE SUBMITTED SCHEME

- 3.1 The application was for full planning approval for the conversion of the loft with a dormer into a self-contained studio-flat with external access via a spiral staircase. (Unscaled versions of the submitted planning drawings can be viewed in Appendix 3).
- 3.2 The accompanying plans and elevations show the proposed layout. The proposal was amended in response to comments from the planning case officer (See appendix 4).
- 3.3 The original elevations show a standard railing (height 1100mm) to the balcony leading to the main entrance of the self-contained studio flat. After discussions with the case officer, the elevations were amended and a privacy screen (height of 1800mm) replaced the railing to prevent over looking into the neighbours rear garden.
- 3.4 A garden fence which defines the site boundary (approximate height of 1800mm) would help to obscure the lower section of the spiral staircase.
- 3.5 A dormer of similar size can be seen from Chalton Crescent (see appendix 5). This built example allows for clear views from the dormer windows into the neighbouring amenity spaces due to the lack of any obscured glazing. We feel that this dormer extension does not adhere to and contradicts the reasons given for refusal with our planning application.

4.0 Observations upon Local Authority's Reasons for Refusal.

4.1 The planning committee when deciding upon this application quoted:

Reason 01:

The proposed rear dormer with external spiral staircase and overhanging landing constitutes an over large and dominant form of development that would have a detrimental effect on the appearance of the host dwelling house and residential character of the area. By virtue of the siting adjacent a public footpath the proposal would be visually prominent and have an adverse effect on the visual amenities of the area. The proposal is therefore contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, emerging policy E1 of the Havant Borough Local Plan 2036, Pre-Submission Draft, and the National Planning Policy Framework.

and:

Reason 02:

The use of the proposed external spiral stairs and landing would be likely to give rise to direct overlooking of adjacent properties to the detriment of the amenities of the occupants of these properties. The use of the spiral stairs and landing area would also result in additional noise and disturbance, harmful to the quiet enjoyment of neighbours amenity. The proposal is therefore contrary to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011, emerging policies E1 and E22 of the Havant Borough Local Plan 2036, Pre-Submission Draft, and the National Planning Policy Framework.

4.2 We feel that the refusal puts unreasonable restriction on the potential development of this site. Our reasons for this are set out below.

4.3 The Havant Borough Council Borough Design Guide Supplementary Planning Document (2011) states:

Policy - CS16 High Quality Design - Planning permission will be granted for development that is designed to a high standard, which helps to create places where people want to live, work and relax,

The self contained studio-flat provides additional living space in an area that has a high number of HMO's and properties that have been rented out on a room by room basis. This new self contained studio-flat will also contribute towards the 6300 new homes that are needed in order to meet the requirements of the South East Plan (Table 1.1 of the Havant Borough Core Strategy March 2011)

The development does not cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking.

To combat this, a revised scheme was submitted to the local authority that showed obscured glazing to the balcony which measured at a height of 1800mm. This would prevent the occupant of the flat overlooking into the neighbouring amenity space. Obscured glazing would still allow natural light into the flat. Full Building Regulations approval would be sought to ensure that the construction met current standards to minimise smells and noise pollution eg adequate ventilation, acoustic insulation. The overhanging balcony has enough space for access/egress but not sufficient enough to want to stand their for long periods of time.

5.06 Some overlooking of gardens from the upper floors of dwellings will be unavoidable in most urban and suburban housing layouts. However, the design should aim to mitigate these effects as far as possible by carefully designing the internal floor layout to concentrate habitable rooms away from adjacent properties where overlooking could be an issue.

The layout of the flat meant that the area closest to the neighbouring property had the bathroom with obscured glazing. All other habitable rooms were placed away from this boundary to minimise noise and loss of privacy.

5.47 Dormers are considered an acceptable way of providing light and ventilation to existing buildings. They should be designed to sit back into the roof, back from the front line of the wall below, in from the verge and below the existing ridge line.

The proposed dormer is subservient to the host dwelling. The dormer sits back into the roof and is below the existing ridge line. The proposed cladding will blend in well with the existing roof covering.

- 4.4 Replacement close boarded fence which will help define the site boundary (approximate height of 1800mm) would also help to obscure the lower section of the spiral staircase. The spiral staircase would only be visible at high level, therefore not affecting the visual amenities of the area.

- 4.6 The Havant Borough Core Strategy March 2011 states:

Policy CS9 Housing - Planning permission will be granted for housing proposals that will: -

1. Contribute to achieving a net total of 6,300 new dwellings between 2006 and 2026.

3. Ensure mixed communities are created through the planned distribution and avoidance of a concentration of affordable housing.

5. Provide a mix of dwelling types, sizes and tenures which help meet identified local housing need and contribute to the development of mixed and sustainable communities.

The proposal for a 1 bedroom self contained flat which could be suitable for a single person or a couple will help to contribute towards achieving the goal of 6300 new dwellings by 2026. Majority of the houses within the context of the site are a mixed of detached/semi-detached or terraced housing - more suitable for the family or HMO's. This flat will provide much needed space for occupants to have their own space.

6.24 In terms of house type and size, a mix of dwelling types is sought from one and two bedroom flats to terraces and larger detached houses. The type of affordable housing provided should be informed by up-to-date housing need.

The one bedroom flat contributes towards the need of this type of housing in the area, meeting up to date housing needs. The Havant Borough Local Plan (2036) estimates that the population of Havant will increase by 16,912 by 2036. This increase in population will result in the need for various accommodation types ranging from family dwellings to flats suitable for 1 and 2 persons.

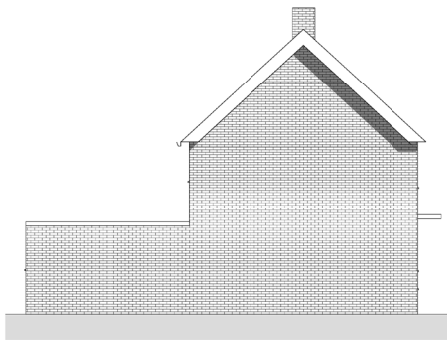
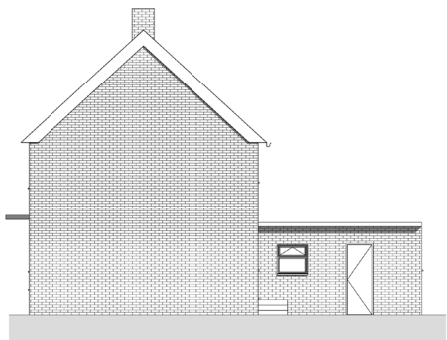
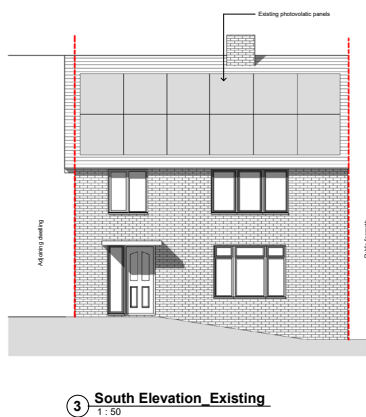
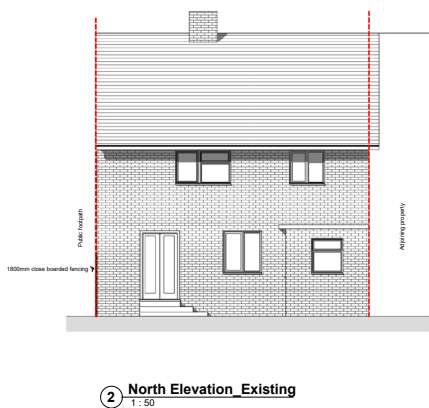
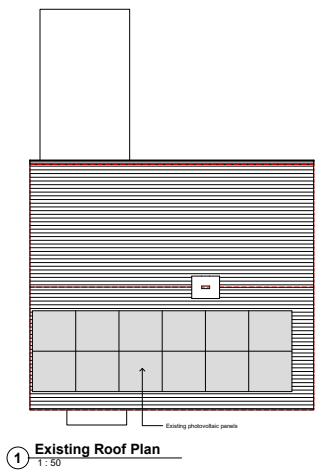
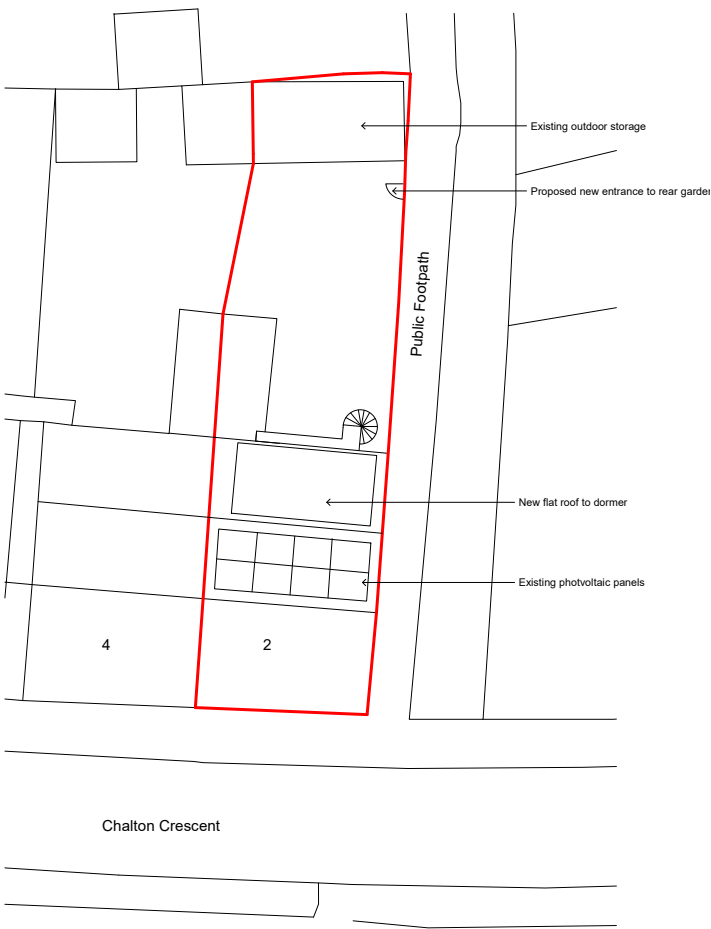
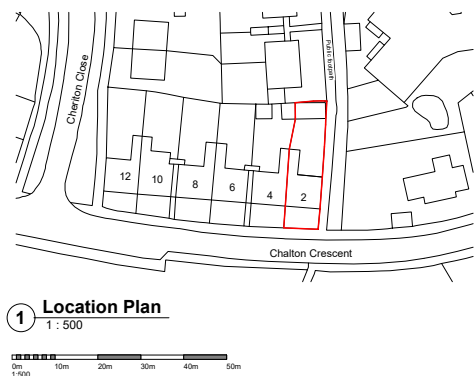
5.0 CONCLUSION

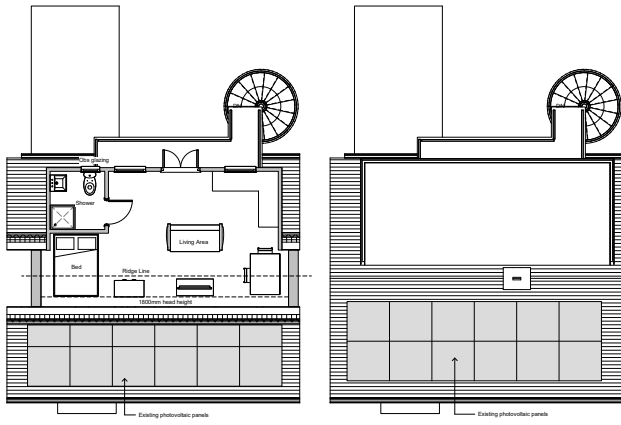
- 5.1 The arguments used by the Local Authority are unreasonable.
- 5.2 We have put provisions into place such as a high level privacy screen and obscured glazing to minimise over looking into the neighbouring amenity space. The concern of the overlooking of the neighbouring property is not a suitable reason to refuse this application.
- 5.3 There is a need for 6,300 new homes in the South East Plan and this development helps to contribute towards achieving that target.
- 5.4 There is a need for 1 bed flats in the area, providing a much needed varied home type for those that wish to be self-contained and not have to share with others.
- 5.5 The proposed layout is thought out, with the bathroom closest to the party wall and the more noisier activities of living such as watching TV or cooking towards the opposite side of the flat.
- 5.5 For these reasons we respectfully request that this appeal be allowed and full planning permission be granted.





Appendix 3



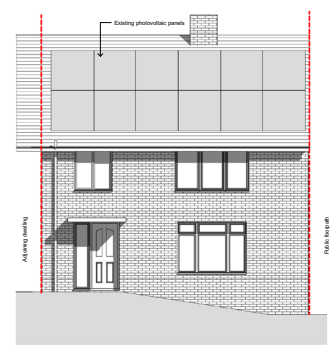


1 **Proposed Loft Plan**
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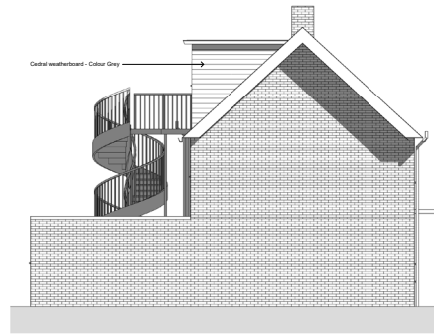
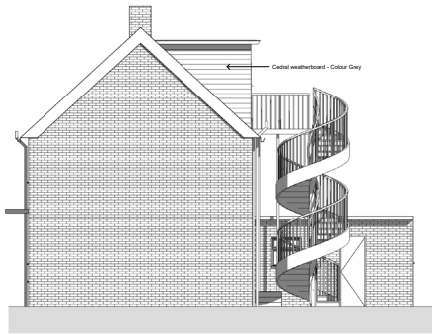
2 **Proposed Roof Plan**
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3 **North Elevation Proposed**
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4 **South Elevation Proposed**
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Appendix 4

