

Recommendation: **GRANT PLANNING PERMISSION IN RETROSPECT**

5.1 No consultees required for this application.

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 4

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 0

7 Planning Considerations

7.1 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

(i) Principle of development

7.2 The application site is located within the defined urban area, therefore development is considered acceptable in principle subject to development management criteria.

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

7.3 The style of properties typically found within the local vicinity are semi detached bungalows with hipped roofs, with brick and render elements to the elevations. However alterations have been made to some properties within close proximity, including a front dormer and solar panels to neighbour to the west, and a side dormer to the neighbour to the south, which have reduced the original symmetry to the streetscene.

7.4 It must be acknowledged that in respect of the hip to gable enlargement and rear dormer proposed, the applicant could undertake these works utilising their permitted development rights. It is only by virtue of the clear glazed window to the side elevation of the gable end, and the materials used on the elevation of the gable end and the rear dormer, which contrast to the materials used on the original dwelling, as to why this application requires planning permission.

7.5 The materials used to create the new roof are concrete tiles in a colour and style to match those of the existing and neighbouring dwellings. The light tube which provides lighting to the landing area is sited close to the ridge of the roof and is visually unobtrusive.

7.6 In terms of the cladding used to the gable end and rear dormer, it is acknowledged that the elevations of the application site, and the bungalows within close proximity benefit from cream render. It is also important to acknowledge that paragraph 60 of

the NPPF states that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is however proper to seek to promote or reinforce local distinctiveness. The Local Planning Authority acknowledge that many householders are now wanting to improve and modernise their homes utilising contrasting materials such as cladding. On this basis, whilst the proposed cladding would present a contrasting type of material, the cladding is of a similar colour to the render of the original dwelling and it is not considered that this element of the proposal would be detrimental to the character and appearance of the area to such an extent which would warrant a refusal of planning permission.

- 7.7 Overall the palette of the materials used are considered to be in-keeping with the materials used on the host and neighbouring dwellings and therefore the design and appearance of the proposal is deemed appropriate and is considered to be acceptable, meeting the requirements of Policy CS16 of the HBLP (Core strategy). It is considered that the scheme would not result in an adverse impact on the visual amenity of the locality.

(iii) Effect on neighbouring properties

- 7.8 The southern elevation of the roof includes a small light tube which has no impact on the occupiers of the properties to the south.
- 7.9 The property to the north of the application site (15 Redlands Lane) is located approximately 11m from the rear dormer, with the two properties being separated by close board fencing. Due to the orientation of the properties the dormer of the application site faces the side elevation of No. 15 Redlands Lane, which has two clear glazed and one obscure glazed window on the southern elevation of the property. The dormer the subject of this application does include four openable 600mm x 600mm windows, however these are currently obscurely glazed minimising the potential impact of overlooking (except when open). This may be a factor in the absence of objection to the application, and as such consideration has been given as to whether it is necessary to condition any permission to ensure the windows remain in an obscure glazed condition. In this regard it must be acknowledged when considering the impact on the amenity of this neighbour, and the impact on the occupiers of the property to the east (101 Birch Tree Drive), that an identical sized and designed rear dormer with clear glazed windows could have been constructed under Permitted Development rights. As mentioned in section 7.4 the requirement for the submission of this retrospective application has been in relation to the materials used and the western facing window alone, which do not fall within the tolerances of Permitted Development. Therefore it is not considered to be appropriate to condition the northern facing windows of the dormer to be either fixed shut or permanently obscurely glazed.
- 7.10 The property to the west (No. 97 Birch Tree Drive) is approximately 6m from the dwelling the subject of this application. The gable end is not considered to cause any negative impact in terms of loss of light, however the current window in the western elevation is clear glazed and does result in inappropriate overlooking to the western elevation of No. 97. The application submitted shows that this unit is to be replaced with a obscure glazed window. This would address the overlooking issue provided controls are also in place over the degree to which it is openable (as opening the window would render the obscure glazing obsolete). Therefore a condition is recommended to ensure that the window is replaced with obscure glazing and a window restrictor, restricting the opening to 20cm, but releasable in case of fire

emergency within a limited time period.

- 7.11 With the alteration to the glazing on the western elevation as mentioned above, it is considered that the proposal would not appear overbearing or lead to unacceptable overlooking over and above that allowed for under normal permitted development rights, and it would therefore have limited and acceptable impact on the properties immediately adjacent to the application site and the properties opposite and to the rear, meeting the requirements of Policy CS16 of the HBLP (Core Strategy). It is noted no letters of objection were received with respect to the scheme.

8 Conclusion

- 8.1 The scale, siting and design of the proposal would have limited and acceptable impact on the neighbours and character of the area and is therefore considered to be appropriate and recommended for approval.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PLANNING PERMISSION IN RETROSPECT** for application APP/17/00770 subject to the following conditions:

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

Location plan - received 28.07.17

Proposed parking layout and side view - 200516/200716 5A3

Photographs - received 19.07.17

Existing and proposed plans - 200516/110716 3A1

Reason: - To ensure provision of a satisfactory development.

- 2 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, and unless otherwise agreed in writing with the Local Planning Authority, within two months of the date of this decision notice the window on the first floor on the western elevation shall be altered to accord with that shown on approved drawing 200516/110716 3A1. Such window shall:

- (i) Be fitted with window restrictors restricting the opening to 20cm;
and
- (ii) Be glazed with textured glass which obscuration level is no less than Level 4 of the Pilkington Texture Glass scale (or equivalent).

Thereafter the window shall be retained in accordance with the above specifications at all times.

Reason: In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.