
Site Address:	1 Fairlea Road, Emsworth, PO10 7SX		
Proposal:	Dormer to side with retention of side facing dormer windows and rooflights. (Part retrospective.)		
Application No:	APP/16/00387	Expiry Date:	10/06/2016
Applicant:	Mr White		
Agent:		Case Officer:	Emma Chisnall
Ward:	Emsworth		

Recommendation: **GRANT PERMISSION**

1 Site Description

1 Fairlea Road is a detached bungalow constructed of a mixture of brick and white render walls and has a pitched hipped roof constructed of concrete tiles. There is evidence to suggest that No 1 has been extended in the past at single storey and the front amenity space is moderate in size and mostly hard-surfaced with the provision for parking 1 car with a garage on site providing a further space. The rear amenity space is moderate in size and is used as garden space with a boundary constructed of 1.8m high fencing. There is an open and low brick boundary around the front.

2 Planning History

None

3 Proposal

Dormer To Side With Retention of Side Facing Dormer Windows And Rooflights (Part Retrospective). The window that has been installed for the bathroom is obscure glazed and fixed shut at the bottom with an opening at the top. The bedroom window is currently clear glass.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Local Plan (Core Strategy) March 2011

CS16 (High Quality Design)

DM13 (Car and Cycle Parking on Residential Development)

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)

Havant Borough Design Guide Dec 2011

Havant Borough Residential Parking and Cycle Provisions SPD Mach 2010

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Development Engineer Highways

The Highway Authority has no adverse comment to this application. It is suggested that the Planning Authority ask for the provision of three parking spaces and cycle facilities.

Comment: Car parking will be conditioned as part of the decision. The existing garage provides adequate space for cycle parking.

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: 6

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 12

Summary:

1) No objections to the two velux roof light windows proposed onto the west side roof of 1 Fairlea Road, my next door neighbour.

2) 11 objections have asked for the dormer windows to be obscured glazed and fixed shut if the height of them is under 1.7m. Concern has been raised over the development starting a precedent of similar development in Fairlea Road which would contribute towards a loss of privacy. Concern has been made over the works devaluing neighbouring homes. Comments discuss the windows along the south elevation and the over-looking caused.

Officer Comments:

1) Most objections will be addressed within section 7 'Planning Considerations' of this report however in order to address the concern of property values it is necessary to confirm that property values are not a consideration in planning matters and as such, will not be commented on further within the report.

2) The windows to the south of No 1 Fairlea Road (to gable) are not required to have planning permission as they are able to be installed under the Town and Country Permitted Development Order 2015 and as such will not be commented on further.

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) Impact upon the character of the area
- (iii) Impact upon residential amenity
- (iv) Parking

(i) Principle of development

The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria.

(ii) Impact upon the character of the area

Following an initial site visit it was noted that No 1 Fairlea Road was situated at an angle in its plot, making the dwelling appear dominant from the streetscene. The dwelling is set in a forward position to that of its neighbouring dwellings to the east meaning that any type of development to the side has a significant impact and appears more dominant than would otherwise be the case.

The dormer complies with criteria in the Town and Country Permitted Development Order 2015 and as such would not require planning permission to be built and retained. Attempts have been made to build the dormer in matching materials to that of the existing dwelling so that it appears as part of the existing dwelling and does not stand out.

Following a site visit it was considered that No 1 Fairlea Road would not be setting a precedent as the first of its kind to have a development to the side roof elevation of the dwelling. This was a strong concern voiced within the representations received but Fairlea Road provides other examples of development in a similar position to No 1 that are already in place. Coupled with the installation of rooflights and other similar development along the road it is not considered that No 1 is at risk of setting this precedent. It was therefore felt that in terms of other development, the works to No 1 would not significantly look out of place nor damage the character of the area. It also again needs to be recognised that the dormer itself would represent permitted development if obscure glazed fixed shut windows were installed.

(iii) Impact upon residential amenity

The part of the dormer that does not meet permitted development criteria are the windows that have been installed to the east elevation. The representations request that all windows are changed to be obscure glazed and have fixed openings if lower than 1.7m. The dormer windows are in a position that are considered to cause the most significant impact to the dwellings to the east of No 1 at No 1d, 1c, 1b and 1a. However the smaller bathroom window as existing has been built with obscure glazing and as such, is considered to not compromise privacy levels. The decision will be conditioned for the bathroom window to be maintained as obscure glazed to ensure privacy to the residents of No 1 and the neighbouring dwellings are maintained. The top part of this window can be opened giving a narrow restricted view to the front amenity space of neighbouring dwellings, which is not considered to lead to over-looking nor cause significant harm.

The side bedroom window is currently clear glass and looks out to the neighbouring flank roofs, front amenity space and rear amenity space of the immediate neighbour. Amenity space to the front of dwellings are viewable from the public realm and as such are not considered to be a private space. However the rear amenity space is private and following a site visit it was determined that the bedroom window would cause over-looking and a loss of privacy to the immediate neighbour. Therefore confirmation has been given that this window will be replaced to contain obscure glazing and this will be conditioned as part of the decision.

The rooflights that have been installed to the west of the dwelling in the roofline look onto the flank wall of No 3 and are not considered to impact amenity levels of this neighbouring dwelling significantly. They are positioned high in the roof and are in a sloped position which should limit the potential for over-looking or privacy to be compromised. No complaints have been received in regards to the rooflights and coupled with the above reasons are considered to only cause minimal impact to neighbours amenity.

(iv) Parking

A parking plan has been submitted and a condition will be included with the decision to ensure that the plan is followed and adequate parking is provided for three car spaces and cycle facilities.

8 Conclusion

No 1 Fairlea Road has adequate amenity space for the proposed dormers, window and rooflights. The space available and position of the windows should ensure that there is only a minimal loss to the residential amenity of the neighbouring dwellings and a minimal impact to the character of the area. Therefore the proposal is considered to accord with the requirements of the adopted Local Plan (Core Strategy) policy CS16 and can be considered acceptable for approval.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/16/00387 subject to the following conditions:-

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsary Purchase Act 2004.
- 2 The car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.
Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 3 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, the en-suite window at first floor level on the east/side elevation shall be maintained with textured glass which obscuration level is no less than Level 4 of the Pilkington Texture Glass scale (or equivalent) and fixed shut in exception to the existing top opening vent as shown in drawing number 4301/4-Rev E and retained as such thereafter. The bedroom window at first floor level on the east/side elevation shall be fitted with textured glass which obscuration level is no less than Level 4 of the Pilkington Texture Glass scale (or equivalent) with the existing openings within one month of the date of this decision and shall be retained as such thereafter.
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.
- 4 The development hereby permitted shall be carried out in accordance with the following approved plans:
Location Plan: Licence No. 100041040
Site Layout Plan: Drawing No 4301/500- Rev A
Roof Plan: Drawing No 4301/200
Proposed Elevations Plan: Drawing Number 4301/4- Rev E
Proposed Ground Floor Plan: Drawing Number 4301/2- Rev F
Proposed First Floor Plan: Drawing Number 4301/3- Rev F
Cross-Section Plan: Drawing No 4301/5- Rev D
Existing Elevations Plan: Drawing Number 4301/6
Existing Ground Floor Plan: Drawing Number 4301/1
Email Received Confirming Obscure Glazing of Bathroom Window: Received 16.05.16
Email Received Confirming Obscure Glazing of Bedroom Window: Received 06.06.16
Reason: - To ensure provision of a satisfactory development.