
Site Address:	48 Victoria Road, Emsworth, PO10 7NJ		
Proposal:	Loft conversion incorporating 2 rooflights (1 to east & 1 to west elevation), window and an external store to rear of existing dwelling.		
Application No:	APP/13/00634	Expiry Date:	22/08/2013
Applicant:	Mr Tweddell	Team:	Team 2
Agent:	Mr Helyer	Case Officer:	Stephen Andrews
	Helyer Design Ltd		
Ward:	Emsworth		

Recommendation: **GRANT PERMISSION**

1 Site Description

The application site comprises a large two storey detached dwelling of red brick construction and pitched brown tiled roof. The dwelling has been extended at the rear at a two storey level with rear conservatory and summer house and detached garage to the rear also. The dwelling has on site parking to the side with vehicular access on to Victoria Road.

The area is residential in nature and comprises of both single storey and two storey detached and semi-detached dwellings. It was noted that a number of the two storey dwellings had accommodation within the roof space.

2 Planning History

94/59223/001 - Two storey and single storey rear extensions. Approved - 08/11/1994.

94/59223/000 - Single storey rear extension with second storey rear extension over existing kitchen. Approved - 26/07/1994.

3 Proposal

Planning permission is sought for the conversion of the existing roof space to provide an additional bedroom and en suite. The proposal would include the removal of an existing chimney stack, the insertion of two side facing roof lights (one on each side of the roof pitch) and a new front facing second floor window.

The application also proposes a single storey rear store extension which measures 1.7m in width, 0.9m in depth and 3m at its highest point.

4 Policy Considerations

National Policies

National Planning Policy Framework, 2012

Core Strategies 2011 forming part of the HBLDF

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

None

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: At least one site notice exists - check the number.

Statutory advertisement: Not applicable.

Number of representations received: 2

Summary:

Direct overlooking and loss of privacy into the landing area/study of neighbour 50 Victoria Road from the proposed roof light in the west facing roof slope.

Concern has also been expressed regarding a window that was required to be obscure glazed under the planning permission granted in 1994.

Comment:

A condition could be attached to a grant of planning permission requiring the roof light facing 50 Victoria Road to be obscure glazed and fixed shut which would prevent any unacceptable levels of overlooking and loss of privacy.

The breach of condition referred to is not a matter that can be considered in respect of this application and is instead a matter for the Council's planning enforcement team. However, it is noted in the third party correspondence that the breach has since been remedied; no further action would therefore be required.

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 on neighbour amenity
- (iii) Impact on the character and appearance of the area

- (i) Principle of development

The site lies in the built up area of Emsworth where development is normally permitted subject to compliance with the Development Plan and any other material considerations.

- (ii) Impact on neighbour amenity

The conversion of the roof with side facing roof lights would allow for some additional overlooking of the neighbouring dwellings. There has been objections received in respect of the roof light in the western roof slope facing 50 Victoria Road causing unacceptable levels of overlooking and loss of privacy. It is noted that this window serves an en-suite and following discussion with the Council's Building Control team could be conditioned to be obscure glazed and fixed shut. It is considered that this would suitably overcome this concern and would not prejudice the function and use of this room.

The roof light in the east elevation would look towards the flank elevation of 46b some 6m from the application dwelling, which is a greater distance than that with 50. It is not considered that the roof light in this elevation would result in direct overlooking or loss of privacy of any neighbouring windows; particularly those of 46b. Further it was noted that there is an existing larger roof light in this elevation already. There is therefore no need to impose any restrictive condition on this window.

The insertion of the front facing window would allow for extended views of neighbouring properties, but in an accepted and traditional manner. Despite the additional overlooking neighbouring properties would still retain sufficient levels of privacy, no objection is therefore raised to this window.

Notwithstanding the above assessment it is pertinent to note that subject to conditions the proposed roof lights and front window are likely to fall within the permitted development entitlement for the dwelling allowed by Schedule 2, Part 1 Class C of the Town and Country General Permitted Development Order 1995 as amended. This is a material consideration to the assessment of this application. The fact that the proposed roof alterations could fall within development allowed under the permitted development entitlement for the dwelling must be considered when considering the impact on neighbour amenity. It is considered that this valid 'fall back' position adds further weight to the support of the development and the above conclusions reached in respect of neighbour amenity and the use of the restrictive condition suggested.

The small rear store would be screened by the existing conservatory and boundary treatment. Further, the scale of this proposal and separation distances between neighbours would prevent any impact on neighbour amenity.

In respect of the above information it is considered that the development would accord with the principles of policy CS16 of the Havant Borough Core Strategy Local Development Framework 2011.

(iii) Impact on the character and appearance of the area

The proposed removal of the chimney stack and insertion of roof lights and front window would have a neutral impact on the overall appearance of the dwelling and would not significantly alter its overall character or architectural detail.

The proposed store would be located to the rear of the dwelling and is of a scale that would have no bearing on the character and appearance of the area.

It is therefore considered that the development as proposed would have little impact on the existing character and appearance of the area and would not noticeably alter the appearance of the dwelling. The development therefore accords with the aims and objectives of policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011.

8 **Conclusion**

Having full regard to the requirements of policy CS16 and the valid 'fall back' position provided by Schedule 2, Part 1 Class C of the Town and Country General Permitted Development Order 1995 as amended the application is recommended for approval.

9 **RECOMMENDATION:**

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/13/00634

(A)

(B) subject to the following conditions

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted.
Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The external materials to be used shall match in type, colour and texture those on the existing building, unless agreed otherwise in writing by the Local Planning Authority.
Reason: In the interests of the amenities of the area and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 3 The roof light in the western roof slope, facing 50 Victoria Avenue, hereby approved, shall at all times be fixed shut and remain glazed entirely with obscure glass, the particular type of which glass shall provide a degree of obscuration no less obscure than that which is provided by Pilkington's Texture Glass Obscuration Level 4.

Reason: In the interests of the amenities of the occupiers of 50 Victoria Road and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 4 The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing No. 13042/002 Rev.B

Reason: - To ensure provision of a satisfactory development.