
Site Address: 119 Stakes Road, Waterloo, PO7 5PD
Proposal: Variation of Condition 4(i) of Planning Permission APP/10/00632 to allow for restricted opening of the side casement windows to east and west facing rear bedrooms and for the retention of the rooflight to stairwell as installed.
Application No: APP/14/00160 Expiry Date: 08/04/2014
Applicant: Mr S Webb Team: Team 1
Agent: Case Officer: Penny Ware
Ward: Purbrook

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 Stakes Road is one of the primary residential roads in Purbrook, Waterloo. The majority of the dwellings within Stakes Road are detached or semi-detached. No 119 is a detached former bungalow of brick construction, and has been extended and now benefits from a rear extension and accommodation in the extended roof, incorporating the formation of gable ends to front and rear, and dormer windows to both sides. The property is set back from the road by 5 metres and an area providing parking for 3 cars exists.

2 Planning History

- 2.1 APP/10/00132
Rear extension and provision of accommodation in extended roof, incorporating formation of gable ends to front and rear and dormers to side.
Permitted 5 July 2010

An appeal against condition 4 of the Planning Permission above (requiring windows detailed to be obscure glazed and non-opening) was submitted but subsequently dismissed by the Planning Inspectorate on 24 February 2011.

APP/10/00632

Rear extension and provision of accommodation in extended roof, incorporating formation of gable ends to front and rear and dormers to side.

This application whilst the same in principle to that previously submitted and approved (APP/10/00132) proposed changes in design internally to the east roof slope accommodation, including alterations to form a larger dressing room to the front facing bedroom, and changing the 2 smaller dormer windows permitted previously to one larger full sized dormer window to this elevation. Permitted 9 November 2010 - the same condition as applied to PP APP/10/00132 was reinstated.

This development was subsequently implemented on site.

- 2.2 Receipt of this current application followed an enquiry raised with the Planning Enforcement Team relating to the condition imposed, and the requirement by condition that windows were to be non-opening.

3 Proposal

- 3.1 Planning Permission is sought for a Variation of Condition 4(i) of Planning Permission APP/10/00632 to allow for restricted opening of the side casement windows to east and west facing rear bedrooms and for the retention of the rooflight to stairwell as installed.

4 Policy Considerations

National Policies

National Planning Policy Framework 2012

Core Strategies 2011 forming part of the HBLDF
CS16 (High Quality Design)

Borough Design Guide -SPD

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

No consultees were 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: 13

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) Effect on Neighbouring Properties

- (i) Principle of development

- 7.2 The application site is located within the defined urban area, therefore development is considered to be acceptable subject development control criteria. The principle of

development relating to the loft conversion and windows subject of *this* application have been considered and found acceptable subject to previous planning permission granted and implemented ref APP/10/00632.

7.3 Effect on Neighbouring Properties

The current window arrangement to the east and west facing rear bedrooms provides a single fully opening side hung casement window which affords overlooking and loss of amenity to the occupiers of the adjacent residential properties. The proposal to fit restrictors to these two windows, so that the opening is limited to a maximum of 65mm (20mm past the frame) will have the effect of satisfactorily addressing the overlooking and loss of privacy issues currently applying from the fully opening windows to these locations. As such the proposal is considered to be acceptable and meets the intent behind the original condition imposed on the planning permission granted for the loft conversion works.

The velux window to the west elevation (stairwell) is proposed to be retained as installed - as obscure glazed (consistent with the condition imposed) and fully opening.

Its size and position within the roofslope does not provide any significant degree of overlooking, having high level views only to the top of the side gable elevation of No 117. to the west, and the (part) roofslope of the properties lying beyond. As such the proposal to retain the velux window as installed is considered acceptable.

- 7.4 The owner has indicated his agreement to conditions being imposed to ensure that the windows remain obscure glazed at all times, and window restrictors are fitted and operational at all times except when the windows are actively being cleaned. It is recommended therefore that in order to protect the amenity of occupiers of Nos 121 and 117 Stakes Road that a condition is imposed to ensure that:-

- (i) the windows to the en suite bathroom to the east facing front bedroom, the east and west facing rear bedroom windows and that velux window to the west facing roofslope must at all times be and remain fitted with obscure glass, and
- (ii) the side hung single casement windows to the east and west facing rear bedroom windows be fitted with restrictors to limit their opening, other than at times when the windows are actively being cleaned.

8 Conclusion

- 8.1 The proposal to fit restrictors limiting the openings to the two side hung single casements windows to the east and west facing rear bedrooms is considered acceptable to satisfactorily address overlooking and loss of privacy to the occupiers of adjacent residential properties, and as such is considered to satisfy the requirements of the policies listed in section 4 of this report - CS16 of the Core Strategy and Paragraph 5.5 of the Borough Design Guide. The retention of the velux window to the west facing roofslope is not considered to have any detrimental impact on the amenity of the neighbours and therefore is considered acceptable.

9 **RECOMMENDATION:**

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/14/00160 subject to the following conditions

- 1 (i) all windows within the east and west facing dormers (except for the two dormer windows serving the front bedroom) shall at all times be and remain fitted 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

and

(ii) the side hung single casement windows to the east and west facing rear bedroom windows shall be fitted with restrictors to limit their opening, other than at times when the windows are actively being cleaned. The restrictors shall limit the opening to 65mm (20mm past the frame) and shall be fitted within 2 months of the date of this decision, and shall remain in place at all times 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 2012.

- 2 The development hereby permitted shall be carried out in accordance with the detailed information included within the planning application form.

Reason: - To ensure provision of a satisfactory development.