
Site Address: 3 Glebe Close, Hayling Island, PO11 0LB
Proposal: Variation of Condition 4 of Planning Permission APP/13/00201 to allow clear glazing to study window (formerly wardrobe area), on first floor rear elevation.
Application No: APP/13/01127 Expiry Date: 08/01/2014
Applicant: Mr Edwards Team: Team 2
Agent: Mr Walker Case Officer: Richard Nash
Island Design
Ward: Hayling West

Recommendation: **GRANT PERMISSION**

1 Site Description

The application site comprises a traditional semi-detached two storey dwelling of brick and tile construction, located within a modest plot on the east side of Glebe Close, with a rear boundary with West Lane. The front boundary of the site is open, with the side and rear boundaries being marked by mature hedging and panel fencing to a height of approximately 1.8 metres. The area is predominantly characterised by low to medium density residential dwellings of a broadly similar character.

2 Planning History

APP/13/00201: Two storey side extension following removal of existing garage. Approved.

APP/13/01128: Application for non-material changes to Planning Permission APP/13/00201 relating to changing a rear ground floor window to a door. Approved.

3 Proposal

The current application has been submitted retrospectively and proposes a variation of Condition 4 of Planning Permission APP/13/00201, to allow the retention of clear glazing to a study window (originally annotated as a wardrobe area), to the first floor rear elevation of the extension.

The relevant condition required that: "Both the windows at first floor level in the east (rear) elevation of the development hereby approved shall at all times be and remain glazed entirely with obscure glass, the particular type of which glass shall provide a degree of obscurity no less obscure than that which is provided by Pilkington's Texture Glass Obscurity Level 4". The reason for imposing the condition was in the interests of the amenities of the occupiers of nearby properties, with particular regard to overlooking issues.

4 Policy Considerations

National Policies

National Planning Policy Framework

Core Strategies 2011 forming part of the HBLDF

CS16 (High Quality Design)

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: 10

Number of site notices: Not applicable

Statutory advertisement: Not applicable

Number of representations received: 1

Summary: Have already lost daylight to garden due to close proximity of extension. Would also lose privacy to end of garden. Windows open so overlook property even though obscured. Revised application being submitted due to being brought to attention of HBC that development was not compliant with the original drawings.

Comment: The fact that a breach of planning control exists on a site is not in itself a reason for refusal of a planning application - each case must be judged on its own planning merits. The impact of the proposal on neighbouring amenities is discussed below.

7 Planning Considerations

The principle and broader impact of the extension has been considered acceptable by virtue of the planning permission granted under APP/13/00201. Having regard to the relevant policies of the development plan it is considered that the main issue arising from the current application is the impact of the proposal on neighbouring amenities.

In assessing planning application APP/13/00201 it was considered that the first floor windows proposed in the rear elevation of the extension could, if applying a 45 degree angle, result in some overlooking of the rear garden of 1 Glebe Close. As these windows were shown as serving a wardrobe and en-suite bathroom it was considered reasonable to require that they should be obscure glazed.

The proposed use of the wardrobe area has now been changed to a study. Of the two rooms concerned, this was the southernmost, and thus the furthest from number 1. The window has now been constructed with clear glazing. It has therefore been possible to assess the actual degree of resultant potential overlooking, as opposed to the theoretical approach previously taken.

In this respect, a comparison has been made between the views attainable from both

the window concerned and that next to the south (within the original dwelling house), which is larger, with no requirement for obscured glazing and serves a bedroom. From this exercise it has been possible to ascertain that the additional view obtained from the new window comprises a relatively small area of brickwork to the rear elevation of the dwelling at number 1. It is also of relevance that the rear garden of 1 Glebe Close is already overlooked, to a degree, by first floor windows at 2 Glebe Close, and this is not an unusual situation in residential areas of this nature and density. Albeit the degree of change is reasonably small, it is considered that the introduction of some additional control to the bathroom window at No.3 will strike a balance between the interests of both the applicant and the neighbour, accordingly it is proposed the lower panels of the bathroom be fixed and unopenable by means of the varied condition. The agent has agreed (File note 17 December 2013).

On balance, and having had the opportunity to assess the impact of clear glazing of the window on site, it is considered that the variation of condition as applied for would not have a detrimental additional impact on the amenities of occupiers of neighbouring properties.

8 Conclusion

The variation of condition, including the fixing of the lower panes to the ensuite would be acceptable in principle and would not have a broad material impact on the character and appearance of the application site or the visual amenity of the street scene, or a detrimental additional impact on the amenities of occupiers of neighbouring properties. The application should therefore be approved.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/13/01127.

- 1 The window at first floor level in the east (rear) elevation of the development, shown as serving an en-suite area on the Proposed Layout drawing received by the Council on 13 November 2013, shall at all times be 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. Within three months of this notice of permission, the window to the ensuite area shall also be altered so that all parts of the window which are less than 1.7m above internal floor level are fixed and unopenable, and the window shall then be permanently maintained in this condition. This shall not prevent the opening of the top/fan light of the window to the ensuite area, as shown in the drawings submitted with the current application.

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.