

**P/17/1434/FP**

MR S BOND

**WARSASH**

AGENT: BPS DESIGN  
CONSULTANTS LTD

GARAGE TO SIDE EXTENSION AND FRONT CANOPY, ALTERNATIVE TO  
P/17/0488/FP (RETROSPECTIVE APPLICATION)

85 CHURCH ROAD WARSASH SOUTHAMPTON SO31 9GD

***Report By***

Arleta Miszewska 01329 824666

***Site Description***

This application relates to a two storey semi-detached dwelling located on the eastern side of Church Road, near the junction with Oakwood Close.

The dwelling is located within the urban area.

The application site levels slope rearwards.

***Description of Proposal***

Planning permission has been recently granted (P/17/0488/FP, 27 July 2017) at this property for a garage to the side of the dwelling leading onto an existing extension to the rear, new porch roof to front, wooden outbuilding and raised decking in the rear garden.

Some works have been completed differently to what planning permission was granted for. This submission seeks to authorise the changes made to the previously approved scheme.

This application seeks retrospective planning permission for:

- increased height of the garage extension, including increased height of the roof over, and
- increased height and altered design of the canopy roof at the front of the property.

***Policies***

The following policies apply to this application:

**Approved Fareham Borough Core Strategy**

CS17 - High Quality Design

**Design Guidance Supplementary Planning Document (Dec 2015)**

EXD - Fareham Borough Design Guidance Supplementary Planning Document

**Development Sites and Policies**

DSP3 - Impact on living conditions

***Relevant Planning History***

The following planning history is relevant:

**P/17/0488/FP**

**Garage to side of dwelling with pitched roof partially over existing ground floor extension, new landing window, porch roof to front, outbuilding and raised decking in rear garden**

APPROVE

27/07/2017

**P/16/1275/FP**

**Retention of side and front garden walls and raised ground level at**

### ***Representations***

Representations from 6 households have been received. These include one letter of support from the adjacent property at no. 87 Church Road and letters of objections from 5 households raising the following concerns:

Concerns related to impact on living conditions:

- The new roof completely restricts the light into my property and garden (83 Church Road);
- My kitchen is overshadowed and gloomy (83 Church Road);
- My side access feels more like a basement (83 Church Road);
- Loss of outlook from my property (83 Church Road);
- The extension created a feel of being overwhelmed (83 Church Road);

Concerns related to impact on the character and appearance of the area:

- Overdevelopment;
- The height of the roof is not in keeping with the local area;
- Roof is overbearing, dominating and is an eyesore, out of keeping with the area;

Concern related to building control matters:

- The quality of the wall and their ability to support the roof is questionable;
- No details of guttering;
- Surface water already enters my side and rear access of my property;
- No indication of how surface water is to be disposed;
- Insufficient drainage on site;
- Gases come out of boiler, which has been there since the house was built, under the newly raised roof causing a fire and health hazard;
- The supporting walls are not strong enough to hold the roof, the footings are also insufficient for the current built; the existing drain may collapse due to the weight of the built;
- Lack of adequate drainage, soakaway on site which creates problems to adjacent properties;

Concerns which are private matters:

- The introduction of a door at the rear of the garage could create access via my property;
- Damage to my property by water coming from the application site;
- Will the guttering be contained within the application site boundary?
- If guttering, which would overhang the boundary, is not added then the extension will cause drainage problems;
- The structure will damage and devalue my property;
- The development will create problems which will have to be resolved legally;

Other matters raised:

- The extension wall has been constructed right on the boundary and consequently the guttering will have to overhang my property which is not acceptable.
- The newly built shed is located too close to the extension to provide adequate guttering;
- Health and safety hazard to the residents of the neighbouring properties;
- Works progress in stages;
- The roof may be used in the future as a storage for materials in association with the

business run by the applicant;

- Construction works cause nuisance to the nearby residents, in terms of noise, car parking provision and general disturbance;
- The extension is being built of concrete blocks and not bricks as stated on the application form;
- The existing shed is an eyesore and poses health and safety risk due to poor electrical cabling and guttering;
- The recently built patio area is causing water to seep through the walls of neighbouring garden;
- Building materials are stored on the flat roof and blown by the wind into neighbouring gardens;
- A condition should be imposed to ensure that the construction is finished in a timely manner;
- Disregard for the Council and the neighbours;

In addition, one letter of support has been received stating the following:

- The current works are not measurably different to other additions in the street and therefore it would not make sense to deconstruct them.
- No impact on my property and no adverse effects of drainage into my rear or front garden

### ***Planning Considerations - Key Issues***

#### **IMPACT ON LIVING CONDITIONS**

The levels at the application site slope towards the rear. When measured at the front of the extension, the extension eaves are 300mm higher than approved. The ridge of the roof is 1.2m higher than approved. When measured towards the rear of the extension, where the side door is shown, the eaves of the extension are 700mm higher than approved and the ridge is 1.1m higher than approved.

Concerns have been raised over the increased height of the construction causing loss of light to and outlook from the garden, side access and kitchen of the adjacent property at no. 83 Church Road.

The kitchen at no. 83 is served by a clear glass window in the rear wall facing the rear garden and a side door facing the currently constructed extension at the application site. The window is the primary source of light to and outlook from the kitchen and the kitchen door, with obscure glazing, provides a secondary source of light to the kitchen. The part of the extension where the height has been increased projects beyond the rear wall of no. 83 Church Road by approximately 2500mm. In addition, the extension is located approximately 1500mm away from the kitchen window which faces the rear garden. In this site context, the outlook from and light to the kitchen window would not be materially compromised by the construction works.

With regard to the impacts on the side door serving the kitchen, whilst the reduction in light to this door is acknowledged, it is not considered to be materially harmful.

As to the impact on the side access at no. 83 Church Road, the access is not used for recreational garden purposes. Therefore, the impact on this area would not cause detriment to the overall enjoyment of this dwelling.

Concerns have also been raised regarding overshadowing of the rear garden of no. 83 Church Road. The length of the garden is approximately 10.5m and it accommodates a garage located close to the rear boundary (north-east). The width of the garden is

approximately 10m. The part of the extension which has been increased in height projects beyond the rear wall of no. 83 Church Road by approximately 2500mm. The increase in bulk of the extension is not considered to be unacceptably adverse to the enjoyment of the house.

Concern has been raised that the external door shown on the side elevation facing 83 Church Road has been blocked. Officers note the fact and conclude that the blocking of the external door would have no impact on the living conditions of the adjacent neighbours. If the current application is approved then the applicant would be able to reinstate the door in the future.

Overall, officers are satisfied that the proposal would not have an unacceptably adverse impact on the amenity of the occupiers of the adjacent properties to a degree that would justify refusal of the application.

## DESIGN AND IMPACT ON THE CHARACTER AND APPEARANCE OF THE AREA

Concerns have been raised over the design and size of the extensions being out of character with the area and constituting overdevelopment.

The application site is located within an established residential street. Therefore domestic extensions to a property would not be out of character. Moreover, the Church Road street scene is characterised by houses of varying scale, architectural style and plot size giving the street a visually diverse appearance. The extensions at the application site would not be prominent from most vantage points in Church Road but would be only visible when standing nearby or opposite the application house. Therefore, the extensions would not have such material impact on the street scene or the surrounding area to alter its overall character or appearance.

## OTHER MATTERS

Concerns have been raised over the nuisance caused by the construction works, in particular the noise and car parking obstructions. Whilst some degree of noise and general disruption is inevitable when construction works take place, these are of a temporary nature and therefore cannot be grounds for refusal.

Further concerns have been raised over the quality of the build and health and safety of the site; these are not matters that fall within the remit of planning legislation. Drainage in relation to the extensions will be dealt with under building regulations.

However, the Council's Building Control Officers have advised that the site is served by an existing soakaway provided in connection with the extension approved in 2005. There is no evidence to prove that the soakaway has been removed. Therefore it appears that the surface water from the existing and currently under construction additions is directed to the existing soakaway. Building Control Officers who inspect the site in connection with the ongoing construction works are aware of this concern and will ensure that the additional rainwater run-off from the roof of the extension under construction can be accommodated appropriately.

In addition, concerns have been raised over the fact that the side extension has been constructed in close proximity to the common boundary with no. 83 Church Road and consequently any guttering would overhang the common boundary. However, it has been clarified by both the applicant and the planning agent that the side guttering will be provided via a concealed box gutter behind the fascia and therefore no overhanging of the neighboring property will occur.

Furthermore, concerns over damage to private property and potential trespass have been raised. However, these are private matters between property owners which fall beyond the scope of material planning considerations.

Further concern has been raised over the fact that construction works at this property progresses in stages and a timely completion of the construction works have been requested. Whilst the Local planning authority can control the timescale for implementation of planning permission it can not control completion of works via planning conditions.

Concerns have been raised over the fact that the previously approved shed in the rear garden has not been shown on the submitted plans. As the shed has been constructed in accordance with the approved plans it already benefits from planning permission (P/17/0488/FP). Therefore it does not form a part of this proposal.

Concerns have also been raised over the construction works on the application site creating problems which will have to be resolved legally. However, concerns of this nature are not relevant to the determination of a planning application for domestic extensions.

### ***Recommendation***

GRANT PLANNING PERMISSION subject to conditions:

1. The development shall be carried out in accordance with the following approved documents:

a) Site plan (1:500), ground floor plan, roof plan and elevations (1:100), drawing number PL01.

REASON: To avoid any doubt over what has been permitted.

2. Within one month from the date of this decision notice, details of all external materials to be used in the construction of the hereby approved side extension should be submitted to and approved by the local planning authority. The approved details shall be fully implemented and shall thereafter be retained in that condition at all times.

REASON: To ensure that the finished appearance of the development.

3. Development shall cease on site if, during any stage of the works, unexpected ground conditions or materials which suggest potential contamination are encountered, unless otherwise agreed in writing with the Local Planning Authority. Works shall not recommence before an investigation and risk assessment of the identified material/ ground conditions has been undertaken and details of the findings along with a detailed remedial scheme, if required, has been submitted to and approved in writing by the Local Planning Authority. The remediation scheme shall be fully implemented and shall be validated in writing by an independent competent person as agreed with the LPA prior to the occupation of the unit(s).

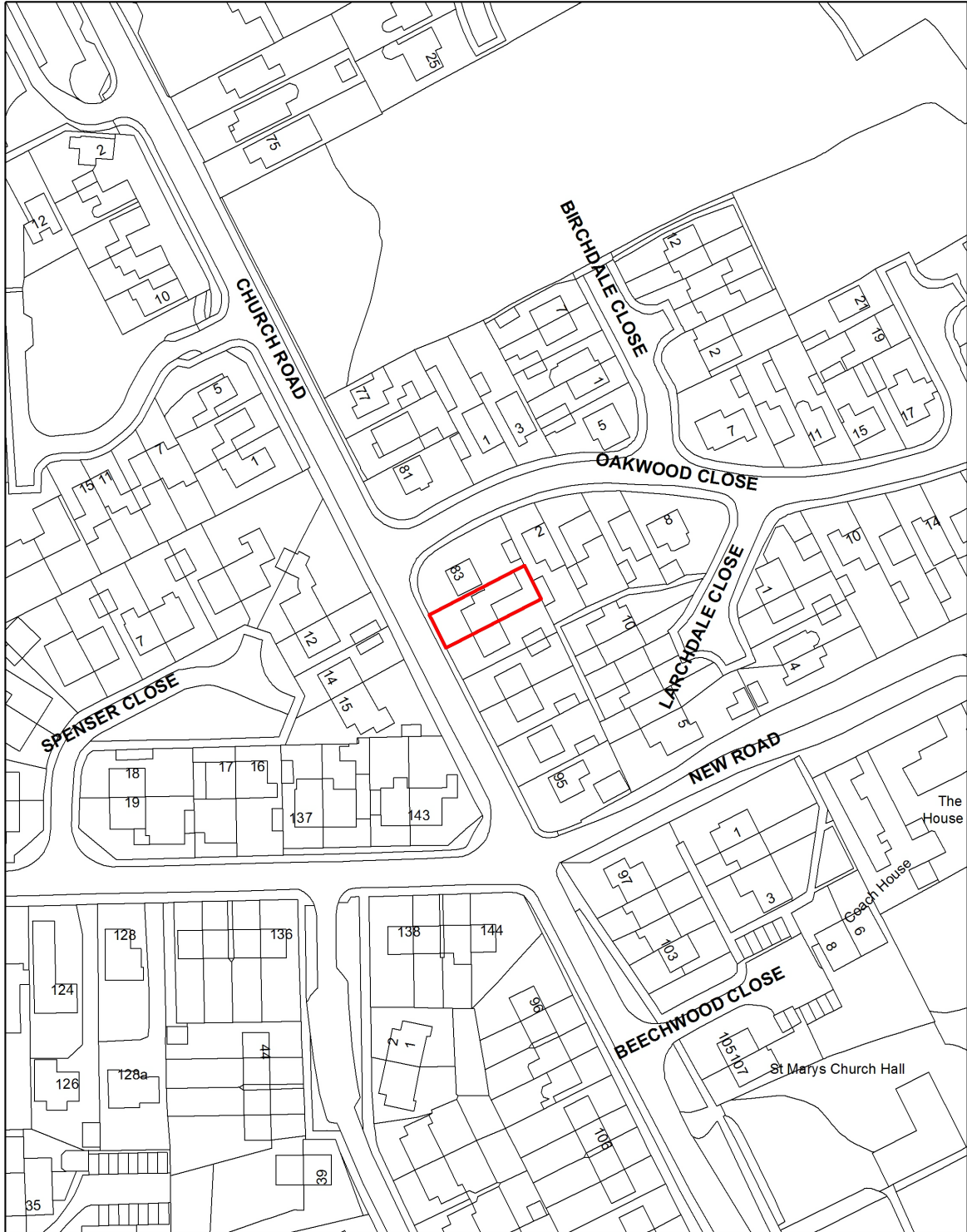
REASON: To ensure that any contamination of the site is properly taken into account.

### ***Notes for Information***

For the avoidance of doubt, the remaining conditions on P/17/0488/FP in relation to the approved outbuilding and decking continue to apply.

# FAREHAM

BOROUGH COUNCIL



85 Church Road  
Scale: 1:1,250



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