

P/13/0358/VC

HILL HEAD

MS LYNN TAYLOR

AGENT: MS LYNN TAYLOR

VARIATION OF CONDITION 3 OF PLANNING PERMISSION P/11/0237/VC TO ALLOW ROOF LIGHT IN SOUTH EAST ELEVATION SERVING EN-SUITE TO BE FITTED WITH A RESTRICTOR ALLOWING OPENING OF 5CM

18 HAVEN CRESCENT FAREHAM PO14 3JX

Report By

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Site Description

The application site comprises the residential curtilage of this two storey dwelling located in Haven Crescent, Hill Head. The site lies within the urban area.

The dwelling has been extended recently with permission having been granted in 2010 for the erection of a two storey side extension, single storey rear extensions, fenestration changes, a front porch and front dormer window (reference P/10/0793/FP). Retrospective permission for alterations to this scheme were permitted in 2011 (reference P/11/0237/VC).

Description of Proposal

Condition 3 of planning permission P/11/0237/VC requires the roof light in the south east elevation of the dwelling serving the en-suite bathroom to be glazed with obscure glass and be of a non-opening design and construction.

Permission is sought for the variation of this condition to allow the roof light to be fitted with a restrictor allowing it to open by 5cm (2 inches approx).

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS17 - High Quality Design

Relevant Planning History

The following planning history is relevant:

<u>P/13/0117/VC</u>	VARIATION OF CONDITION 3 OF PLANNING PERMISSION P/11/0237/VC TO ALLOW ROOF LIGHT IN SOUTH EAST ELEVATION SERVING EN-SUITE TO BE OF AN OPENING DESIGN
	REFUSE 28/03/2013
<u>P/11/0237/VC</u>	ERECTION OF TWO STOREY FRONT & SIDE EXTENSIONS, SINGLE STOREY REAR EXTENSION AND CHANGES TO FENESTRATION, FRONT PORCH AND FRONT DORMER (VARIATION OF CONDITIONS 2, 3 AND 4 OF PLANNING PERMISSION P/10/0793/FP TO ALLOW FOR DESIGN ALTERATIONS, INCLUDING TO ROOF LIGHTS, REAR DORMER AND CHIMNEYS)
	PERMISSION 29/07/2011

P/10/0793/FP

ERECTION OF TWO STOREY SIDE EXTENSION, TWO STOREY FRONT EXTENSION, SINGLE STOREY REAR EXTENSIONS, CHANGES TO FENESTRATION, FRONT PORCH AND FRONT DORMER (ALTERNATIVE TO P/10/0128/FP)

PERMISSION 11/10/2010

Representations

Two letters have been received objecting to the application on the following grounds:

- Loss of privacy to neighbours

Planning Considerations - Key Issues

The Officer's report to the committee on 20th July 2011 concerning the retrospective alterations to the dwelling (reference P/11/0237/VC), observed that the roof light which was set less than 1.7 metres above floor level was openable and that there was an "opportunity" to overlook the rear garden of 7 Old Street. Consequently condition 3, the subject of this current application, was imposed to require that roof light to be obscure glazed and of a non openable construction.

An officer visited the property recently and observed that the roof light had been screwed closed, however it was not of a non-opening design and construction.

At a distance of approximately 8 metres from the boundary with 7 Old Street, the roof light when fully open would provide overlooking of the neighbour's rear garden which would detract from the privacy of the neighbours and the private enjoyment of the garden. The neighbours have planted trees close to the party boundary which in time once they have matured will screen some views from the roof light into the adjacent garden. However, notwithstanding this boundary planting there is, at present, a degree of overlooking possible from a fully open roof light.

Members will recall that an earlier application before them this year sought permission for the roof light to be opened fully. Officers believed that a restrictor would be required to limit the size of the opening possible and prevent overlooking, and suggested an opening of 2.5 cms (1 inch approx). The applicant proposed a restrictor that would have enabled the roof light to open by up to 10cm (4 inches approx). Officers felt that an opening of 10cm would give rise to adverse overlooking of the neighbouring property. Members agreed and the proposed variation was refused.

The application now before members seeks permission to allow the roof light to be fitted with a restrictor allowing it to be opened by 5cm (2 inches approx). Whilst this represents a marginally greater opening than previously recommended by Officers, an opening of 5cm would not have a material detrimental impact on the privacy of neighbouring properties.

Notwithstanding the objections received, Officers consider the variation proposed to be acceptable.

Reasons For Granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out above. The proposed variation of this condition would not be harmful to the privacy of neighbours living nearby. Other material considerations are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore

judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Recommendation

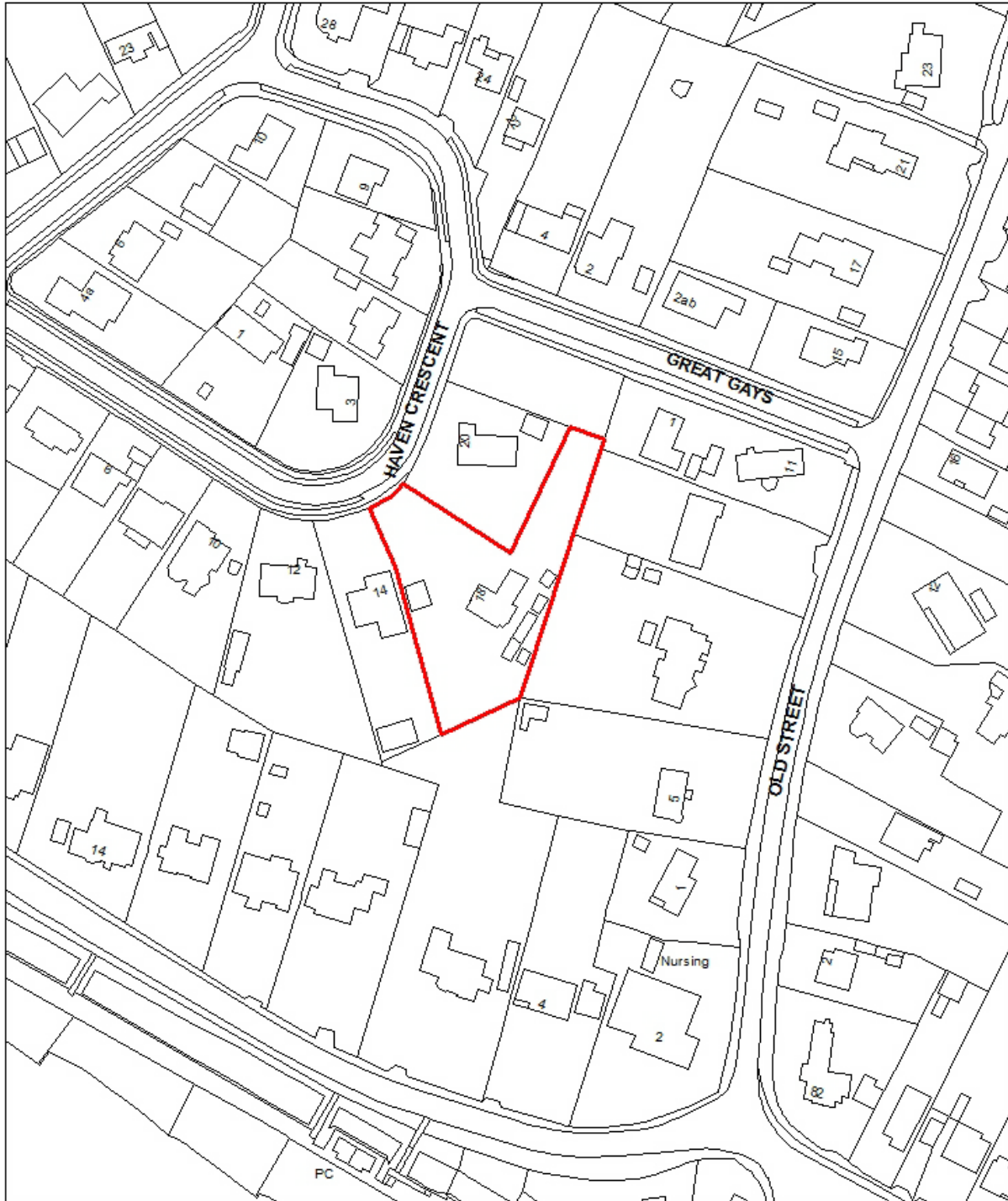
PERMISSION: rooflight obscure glazed at all times; within two weeks of decision notice restrictor to be fitted to roof light; reimpose all other relevant conditions from P/11/0237/VC so far as they are still capable of taking effect (obscure glaze and fix shut dormer window in SE elevation, remove Permitted Development rights re first floor windows in NW and/or SE elevations of extensions)

Background Papers

P/13/0358/VC; P/13/0117/VC; P/11/0237/VC; P/10/0793/FP

FAREHAM

BOROUGH COUNCIL



18 Haven Crescent
Scale 1:1250

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