

OFFICER REPORT FOR COMMITTEE

DATE: 03/03/2021

P/20/1399/FP

MR RICHARD BECHELEY

PARK GATE

AGENT: MR RICHARD BECHELEY

DETACHED GAMES ROOM WITHIN REAR GARDEN

YALE COTTAGE, DUNCAN ROAD, PARK GATE

Report By

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1.0 Introduction

- 1.1 This application is being reported to the Planning Committee due to the number of third-party letters received, which consist of 20 letters from 8 different households.
- 1.2 A significant number of the third party comments received related to the original planning application submission. This comprises an outbuilding with a dual pitched roof measuring 5 metres to the ridgeline. This was considered excessive for a domestic outbuilding in this location, so the scheme was reduced to 4 metres in height

2.0 Site Description

- 2.1 This application relates to a detached dwelling on the south-east side of Duncan Road which is to the north-east of Botley Road. The road is made up of various different house types consisting of bungalows, chalet bungalows and full two storey houses. There is a change in level adjacent to the site with a drop from the north-east to the south-east.
- 2.2 The property is within the designated urban area.

3.0 Description of Proposal

- 3.1 Planning permission is sought for the erection of a detached outbuilding within the rear garden of a residential property.
- 3.2 The building measures 9 metres in depth, 4.6 metres in width, 2.5 metres to the eaves and 4 metres to the ridge.
- 3.3 As set out above, the application was original submitted for a higher building at a height of 5 metres. The building was reduced to 4 metres in height because it was deemed that a domestic building of 5 metres was excessive in this location and would be overbearing to neighbouring properties.

- 3.4 The rear garden is 'L' shape and the outbuilding is proposed in the part of the garden which extends behind the neighbouring property to the north-east. There are neighbouring properties to the south-east of the site which are at a lower level and their rear gardens back onto the side of the proposal.
- 3.5 The building is proposed to be used as a games room, gym and storage. The building has a first-floor section in one third of the building which measures 4.6 metres in wide by 2m in depth. This area is proposed to be used for storage and contains no windows.

4.0 Policies

- 4.1 The following policies apply to this application:

Adopted Fareham Borough Core Strategy

CS17: High Quality Design

Adopted Development Sites and Policies

DSP3: Impact on Living Conditions

Other Documents:

Fareham Borough Design Guidance: Supplementary Planning Document (excluding Welborne) December 2015

5.0 Relevant Planning History

- 5.1 None

6.0 Representations

- 6.1 This application has been publicised three times due to revised plans being received. Twenty letters of representation have been received from eight different households, one raising no objection and eleven raising the following concerns

- Overlooking
- Loss of privacy
- Out of keeping
- Noise disturbance/loss of amenity
- Too high
- Noise/light project onto neighbouring gardens
- Impact on the bat population, nesting birds and slow worms in the area
- Out of the normal building line for both roads
- Impact on surface water
- Very imposing
- Overbearing and cramped
- Could be changed to a different use without consultation

- If allowed I would like the following restrictions: -
 - Restrict hours of work to Monday – Friday normal working hours
 - The property cannot be used for commercial purposes of any kind
 - Banning overnight use, use as any form of accommodation

7.0 Consultations

7.1 None

8.0 Planning Considerations

8.1 The following matters represent the key material planning considerations which need to be assessed to determine the suitability of the development proposal. The key issues comprise:

- a) Impact on neighbouring properties occupiers
- b) Design of the proposal
- c) Other matters

a) Impact on neighbouring properties occupier

8.2 Concern has been raised that the development will create overlooking and loss of privacy to the neighbouring properties. The outbuilding is proposed with four roof lights, three windows at ground floor, a set of glazed doors with a glazed gable above. All the windows have been assessed in relation to the surrounding neighbouring properties. The roof light are within the vaulted ceiling part of the building (above 1.7 metres of the internal floor level), the glazed doors with the glazed gable above will look directly into the applicants own garden and the three ground floor windows would look towards the north-west boundary which contains a one metre high fence with a well-established evergreen hedge behind which exceeds the height of this proposal. Officers are satisfied that there would not be any adverse impact created on any of the surrounding properties with regards to privacy.

8.3 The building is positioned so that it is at the bottom of several rear gardens and the concern has been raised that the building will be too high, very imposing, overbearing and cramped. The building proposed is 12.2 metres from the closest neighbouring property which is to the south-east. Whilst there is a change in levels with the building being higher than the neighbours to the south-east, the building has been designed with a dual pitched roof which hips away from those neighbours. The ridge of the building will be 4 metres in height and would be 14.8 metres from the closest neighbour. Generally, a distance of 12.5 metres sought between a full two storey structure and the rear elevation of a neighbouring house. Taking into account the building is lower than a full two storey structure it is considered that there would not be an unacceptable adverse impact on neighbours' light or outlook which they currently enjoy.

8.4 Noise/light projecting into neighbouring gardens was a concern raised with regards to the proposal. There are only two roof lights which are on the elevation which faces directly towards the neighbouring properties to the south-east. These windows could project some light but as they are on an angle towards the sky it is unlikely, it would cause any unacceptable harm to neighbours. The concern about noise has been considered but it would be unreasonable to resist the proposal on this point as the building is proposed for ancillary use. However, if an unacceptable level of light or noise disturbance is created by the use of the building then this issue could be dealt with under the statutory nuisance legislation.

b) Design of the proposal

8.5 The building is positioned within the rear garden of the application site and cannot be viewed from a public place. The point has been raised that the building is out of the normal building line for both roads. Whilst there isn't an identical structure of this size within the surrounding rear gardens there are other smaller buildings within some gardens. Due to the position of the building within the rear of the site there isn't a defined building line and therefore its position isn't considered to be unacceptable.

8.6 The building is designed with a dual pitched roof and whilst it is not visible from any public land its design is acceptable and wouldn't have any visual impact on the character of the area.

c) other matters

8.7 The potential impact on the bat population, nesting birds and slow worms in the area has been raised. The building is proposed on an area of a residential garden which is being used as a vegetable patch. Officers are satisfied there would not be an impact on any protected species and it is a legal requirement on the owners to ensure the development doesn't impact on any protected species if located whilst constructing the development.

8.8 Concerns about the surface water has been raised. The applicant is proposing to direct the rainwater from the roof into a water butt and soakaway. Officers considered the provision to deal with the rainwater runoff is acceptable.

8.9 It has been raised that the building may be able to be used for something else in the future without consultation. If the building is being used incidental to the main dwelling, then no further planning permission would be required.

8.10 It has been put forward that if the development is allowed could three conditions be added. The conditions recommended are to restrict the hours

of work Monday – Friday normal working hours, the property cannot be used for commercial purposes of any kind and to ban the building from being used for overnight accommodation. Officers have considered the recommended conditions, but it has been considered that either they would be unreasonable or they would require planning permission in their own right. In light of this these conditions recommended are not proposed to be added to the decision.

9.0 Recommendation

9.1 GRANT PLANNING PERMISSION, subject to the following Conditions:

1. The development hereby permitted shall be commenced within three years of the date of this decision.

REASON: To allow a reasonable time period for work to start, to comply with Section 91 of the Town and Country Planning Act 1990, and to enable the Council to review the position if a fresh application is made after that time.

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

- a) Proposed Elevations and Site Plan
- b) Proposed Floor and Section Plan

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

3. The outbuilding hereby permitted shall be used only for purposes ancillary to the enjoyment of the main dwelling and shall at no time be occupied separately as an independent unit of accommodation.

REASON: The site is incapable of accommodating a separate unit of accommodation.

4. The roof windows shown on the south-east and north-west elevations of the development hereby approved shall be constructed so as to have a sill height of not less than 1.7 metres above internal finished floor level. The windows shall thereafter be retained in this condition at all times.

REASON: To prevent overlooking and to protect the privacy of the occupiers of the adjacent properties.

10.0 Notes for Information

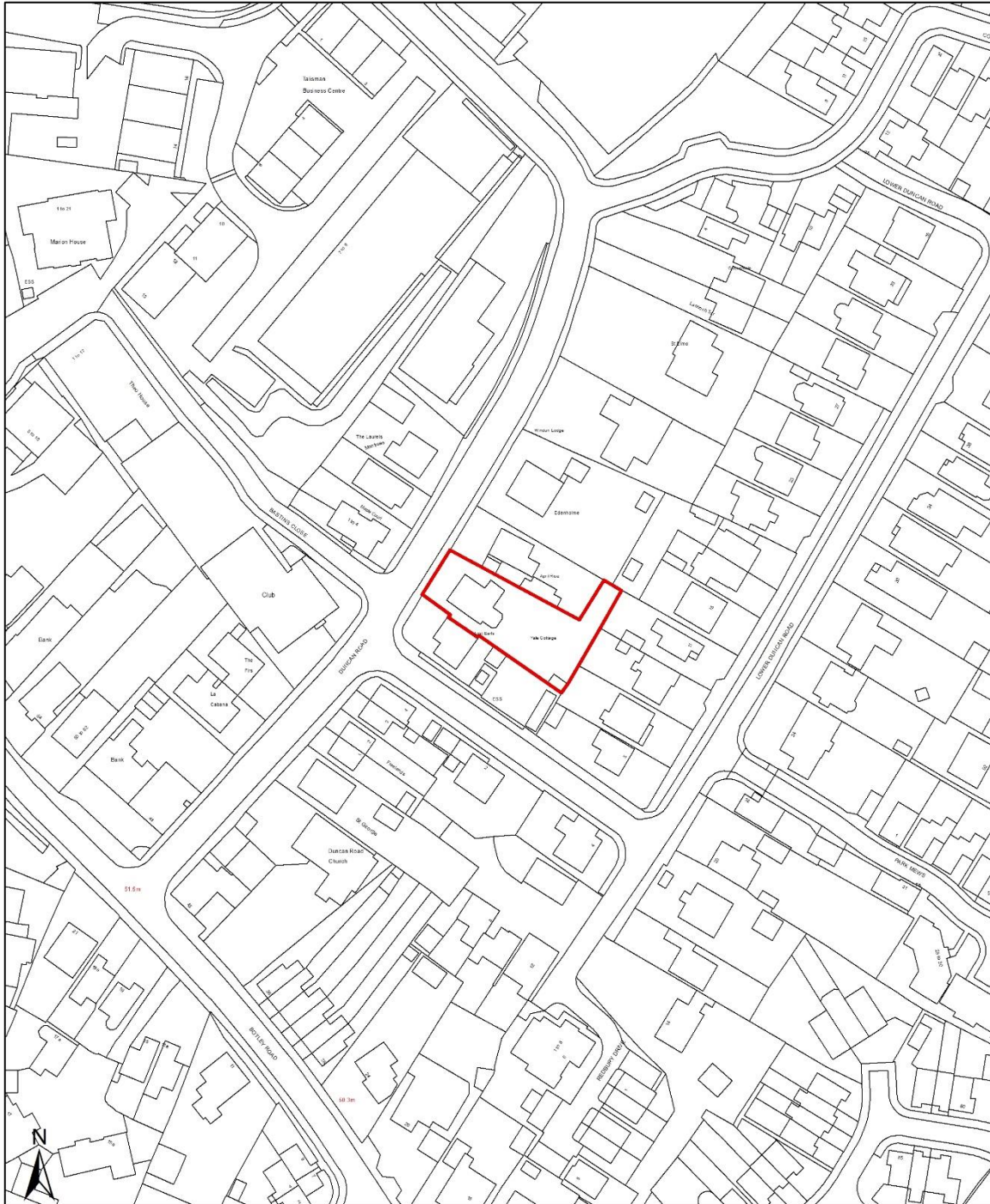
10.1 None

11.0 Background Papers

11.1 P/20/1399/FP

FAREHAM

BOROUGH COUNCIL



Yale Cottage, Duncan Road

Scale 1:1,250

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