

OFFICER REPORT FOR COMMITTEE

DATE: 21/04/2021

**P/21/0367/FP
MRS KAY DAWKINS**

**FAREHAM SOUTH
AGENT: MS RACHAEL SMITH**

GROUND FLOOR REAR EXTENSION, FIRST FLOOR ROOF TERRACE AND
BALCONY

5 BRIARWOOD CLOSE, FAREHAM, PO16 0PS

Report By

Lucy Knight – direct dial 01329 824579

1.0 *Introduction*

1.1 This application is reported to the Planning Committee due to the number of third party letters received and the issues raised are contrary to the Officer recommendation.

2.0 *Site Description*

2.1 The application site comprises the residential curtilage of a two-storey detached dwelling located on the south-western side of Briarwood Close with a field to the rear.

3.0 *Description of Proposal*

3.1 Permission is sought for a ground floor rear extension with a roof terrace above.

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

DSP2 Environmental Impact

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 There are no relevant previous applications

6.0 Representations

6.1 Twelve third party letters of objection have been received from nine separate addresses within Briarwood Close and two addresses from outside of the Borough. The main reasons for the objections are set out below:

- Loss of privacy
- Overlooking of school field
- Noise
- Setting a precedent
- Loss of property value
- Out of character
- Dominant and overbearing privacy wall
- Loss of light
- Loss of outlook
- Impact on ecology
- Increase risk of flooding
- Inaccuracies of plans

7.0 Consultations

EXTERNAL

Hampshire County Council – Estates

7.1 No response

Hampshire County Council - Children's Services

7.2 Consultation passed to Redlands Primary school who stated a reservation that the balcony will overlook the school playing field.

INTERNAL

Environmental Health

7.3 Comments awaited.

8.0 Planning Considerations

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

- a) Impact on the character and appearance of the area;
- b) Impact on neighbouring properties;
- c) Other matters.

a) Impact on the character and appearance of the area

- 8.2 The proposal will be to the rear of the property and is concentrated on the south eastern side of the property meaning that it will not be visible from within the street scene. Therefore, although there are no other extensions with roof terraces over the top within the immediate vicinity, the proposal is not considered to result in a negative impact upon the character and appearance of the area.
- 8.3 The rear of the properties within Briarwood Close are of varying design, many with extensions and conservatories to the rear. This results in a diverse character to the rear of the properties and therefore, the proposal is considered to respect the varied characteristics of the area and comply with Policy CS17 of the Local Plan Part 1: Core Strategy.

b) Impact on neighbouring properties

- 8.4 The single storey extension as a stand alone proposal could be constructed under permitted development rights without the need for a planning permission. This fall-back position is a material planning consideration. Furthermore, the received objections do not relate to this element of the proposal and in fact a number of representations stated that they would be in support of the extension without the roof terrace

Privacy

- 8.5 The assessment needed is therefore on the addition of the roof terrace. The roof terrace has been designed in a way to mitigate against any potential loss of privacy to the neighbouring properties. This has been achieved by setting the terrace back from the rear, outer most edge of the proposed extension by 1 metre but includes a privacy wall and obscure glazed screening being the full depth as the ground floor extension.
- 8.6 This results in the ground floor extension and the privacy screening being 3.6 metres deep from the existing rear of the property and the terrace being 2.6 metres deep from the rear of the property. This design concentrates any views from the terrace towards the rear boundary and the north west of the property and mitigates against any sideways views over the rear balustrade towards the immediate neighbour.
- 8.7 The privacy wall and obscure glazing is shown to be a height of 1.7 metres high from the floor level of the terrace and this is considered acceptable and necessary in order to protect the privacy of the neighbour to the south east, number 3 Briarwood Close. It is recommended that this screening be

conditioned to be constructed prior to the first use of the terrace and to be retained going forward to ensure the immediate neighbour's privacy is protected.

- 8.8 Many of the comments relate to overlooking the field to the rear which is used by school children on occasion. However, as existing this field is overlooked from the first floor windows of a number of properties which back onto the field not just the application site.
- 8.9 It is important to note that should the applicants wish to construct a Juliette balcony at first floor level at the rear of the property, express planning permission would not be required for this. A two-storey extension as deep as the proposed terrace with first floor windows could also be constructed without the need for an express planning permission provided that it was 2 metres away from the boundaries on either side. In terms of assessing the impact upon the field to the rear, these fall-back Permitted Development positions are material planning considerations afforded weight.
- 8.10 As such, taking this into account and given that the roof terrace remains an acceptable distance from the rear site boundary, and the screening wall is secured the proposal is considered to accord with the policy requirements of policy DSP3 and there is no demonstrable adverse impact to the amenity of neighbouring properties or the users of the adjacent playing field.

Loss of light and outlook

- 8.11 Comments were received which relate to the impact upon the amenity of the immediate neighbour, number 3. Number 3 is set further back into its site than number 5 and so approximately half of the proposal will be absorbed by the house at number 3. This stagger to the properties results in an impact of the extension extending beyond the rear of the neighbouring property by approximately 1.9 metres rather than the full 3.6m referred to above. Furthermore the design of the screen at first floor to this neighbour is to be a mix of a plinth wall and obscure glass such that this change in material helps break up any large extent of facing brickwork in the extension and reduces the overbearing impact to the neighbour.
- 8.12 Fareham's Design Guidance SPD states that proposals should be clear of a 45 degree angle when drawn from the centre of a neighbouring window to ensure that the proposal does not result in an unacceptable adverse impact by way of a loss of light to neighbouring rooms or a loss of outlook from them. The plans submitted with the application show that this is achieved and therefore the proposal is considered to comply with the Design Guidance

SPD.

- 8.13 For the reasons given above, the proposal is not considered to result in an unacceptable adverse impact upon the neighbouring property by way of a loss of light, outlook and/ or privacy and is therefore, compliant with Policy DSP3 of the Local Plan Part 2: Development Sites and Policies.

Noise

- 8.14 Many of the representations received related to noise from the proposed roof terrace and the fact that given its elevated position noise that would normally be contained by garden fencing will travel to the detriment of the amenity of neighbours. The proposal is in excess of 20 metres away from the property to the north west and there are no properties to the rear. Therefore, the immediate neighbour to the south east, number 3 is the most impacted by the proposal.
- 8.15 There is no change of use of the dwelling proposed and so the property is to remain in a residential use and will remain a single planning unit. The privacy screening on the south eastern boundary of the roof terrace is considered to be a similar treatment to a residential garden with fencing or a wall around. The noise produced from such a roof terrace is unlikely to be any more significant than that of a residential garden.
- 8.16 The proposal is therefore, not considered to result in a significant adverse impact upon the neighbouring properties by way of noise and is compliant with Policy DSP2 of the Local Plan Part 2: Development Sites and Policies. However, if noise did become a regular issue then the department of Environmental Health can be contacted to investigate the situation.

c) Other matters

- 8.17 The majority of the third party comments received made reference to the addition of a roof terrace setting a precedent for future development. When considering planning applications, each application is assessed on its own merits and so whilst a roof terrace is considered to be acceptable in this instance it does not set a precedent for the consideration of any future planning applications.
- 8.18 A couple of the comments related to the impact upon wildlife within the area. There are no trees or hedgerows being removed as a part of the proposal and there is nothing on the property that could potentially result in an impact upon protected species. Therefore, the proposal is not considered to result in any

impact upon ecology.

- 8.19 The neighbour at number 3 has raised concerns relating to an increase in flood risk. The application site is not within an area identified by the Environment Agency as being at a risk of flooding and so no Flood Risk Assessment has been carried out as a part of the application. The plans show that surface water run-off will be directed into a hopper and down pipe and then into a soakaway within the site. This solution to surface water run-off is considered to be acceptable and the detail of the soakaway will be assessed during the Building Regulations process.
- 8.20 A number of the representations raised concerns relating to the loss of value of their property. This is not a material planning consideration and so has not been assessed as a part of this application.
- 8.21 Comments were made relating to the plans being inaccurate as they do not show an existing shed which is close to the boundary with number 3 or an existing tree within the neighbouring garden. Having visited both the application site and the neighbour at number 3, the plans do not show these elements, however, they do not relate directly to the proposal and the fact that are not shown on the plans does not alter the assessment made on site.
- 8.22 For the reasons given above, the proposal is not considered to result in an unacceptable impact upon the neighbouring properties or the character and appearance of the area and is compliant with Local Plan Policies.

9.0 Recommendation

9.1 GRANT PLANNING PERMISSION, subject to the following Conditions:

1. The development hereby permitted shall be begun before the expiration of a period of three years from the date of this decision notice.

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) Drawing No: 20014_001 Rev A – Location Plan
 - b) Drawing No: 20014_002 Rev A – Existing Site Plan
 - c) Drawing No: 20014_003 Rev B – Proposed Site Plan
 - d) Drawing No: 20014_004 Rev A – Existing Topographical Survey
 - e) Drawing No: 20014_010 Rev A – Existing Ground Floor Plan

- f) Drawing No: 20014_011 Rev A – Existing First Floor Plan
- g) Drawing No: 20014_020 Rev A – Existing Elevations
- h) Drawing No: 20014_030 Rev A – Existing Sections
- i) Drawing No: 20014_100 Rev B – Proposed Ground Floor Plan
- j) Drawing No: 20014_100 Rev B - Proposed Ground Floor Plan – with 45 degree
- k) Drawing No: 20014_102 Rev B – Proposed First Floor Plan
- l) Drawing No: 20014_200 Rev B – Proposed Elevations
- m) Drawing No: 20014_300 Rev B – Proposed Sections
- n) Drawing No: 20014_103 Rev B – Proposed Roof Plan

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

3. The roof terrace hereby approved shall not be brought into use until the 1.7 metre high privacy screening indicated on the approved plans has been erected. The screening shall subsequently be retained at all times.

REASON: To protect the privacy of the occupiers of the neighbouring property and to prevent overlooking.

4. The materials to be used in the construction of the development hereby permitted shall match as closely as possible those used on the existing building unless otherwise agreed in writing with the Local Planning Authority.

REASON: To secure the satisfactory appearance of the development.

10.0 Background Papers

P/21/0367/FP

FAREHAM

BOROUGH COUNCIL



5 Briarwood Close
Scale 1:1,250

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