

OFFICER REPORT FOR COMMITTEE

DATE: 16/06/2021

**P/21/0470/FP
MR & MRS SADLER**

**HILL HEAD
AGENT: GEORGE GAMBLIN**

DETACHED GAMES ROOM

2 GREAT GAYS, FAREHAM, PO14 3JU

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 detached property situated on a large plot of land with a north east facing rear garden.

3.0 Description of Proposal

- 3.1 Permission is sought for a detached outbuilding to be used as a games room incidental to the enjoyment of the existing property. The proposed building is 10.3 metres deep, 6.3 metres wide with a flat roof at 3 metres high. The building is proposed to be finished with cement board cladding to the walls with a flat rubber membrane roof.

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

5.0 Relevant Planning History

- 5.1 The following planning history is relevant:

P/21/0237/LP

Approve

Certificate of Lawfulness for an Outbuilding

01/03/2021

6.0 Representations

6.1 One third party letter of support has been received from the neighbour at 17 Old Street who abuts the north eastern boundary. Ten third party letters of objection have been received from 8 separate address, four of which abut the site, three from properties in close by roads and one from outside of the Borough. The main reasons for the objections are set out below:

- Noise
- Not in keeping
- Loss of outlook
- Potential future use for accommodation
- Loss of privacy

7.0 Consultations

None

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) Background and the principle for development;
- b) Impact upon the character and appearance of the area;
- c) Impact upon neighbouring properties;
- d) Other matters.

a) Background and the principle for development

8.2 The application site is a residential garden in the defined urban settlement boundary where the principle for the development of outbuildings for purposes incidental to the enjoyment of the property to which it serves, is acceptable.

8.3 Members will see from the Planning History section above, that a Lawful Development Certificate was issued in March this year for a similar proposal (the same use, location and footprint as that now proposed) but with a different roof design which resulted in an overall height of 3 metres and with an eaves height of 2.45 metres. It was confirmed that the proposal complied with Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 and was permitted development thus a Certificate was issued.

8.4 In addition to the issue of this Certificate, it is considered important to note the other permitted development fall back situations with the proposal. In this

case the provisions within Class E of the General Permitted Development Order (which provides for development within the curtilage of a dwellinghouse) provide such that the an outbuilding could in fact be built at a greater height of 4 metres without an express planning permission in this location if it had a dual pitched roof and a lower eaves height of no more than 2.5 metres. It could also be built with the flat roof at a height 0.5 metres lower right up against the boundaries without the need for an express planning permission.

b) Impact upon the character and appearance of the area

- 8.5 The proposal will not be visible from within the street scene. Outbuildings within the rear gardens are common place within this location with many of the surrounding properties having existing outbuildings within the rear gardens, including the application site which has a number of buildings in a bad state of repair in the location in which the new building is proposed.
- 8.6 Whilst third party letters have expressed concern at the design solution, the lack of public vantage points of the building and the above described permitted development fall back options are such that the design is not considered to result in a development that would demonstrably fail to respect the character of the area.
- 8.7 The proposal is therefore, considered to respect the key characteristics of the area and complies with Policy CS17 of the Local Plan Part 1: Core Strategy.

c) Impact upon neighbouring properties

- 8.8 The proposal is situated in excess of 10 metres away from the boundary to the east, approximately 6 metres away from the boundary to the north and in excess of 4 metres away from the western boundary.
- 8.9 The proposed use for the building is considered to be a use that is incidental to the enjoyment of the dwelling house plus one that has already been accepted through the issue of the Certificate referred to above. Therefore, the assessment being made is whether the additional 0.5 metres eaves height which results in the proposal needing an express planning permission is harmful.
- 8.10 Due to the building being proposed away from the boundaries with the neighbouring properties, and the permitted development fall back scenarios, the proposal is not considered to result in an unacceptable adverse impact upon neighbouring properties by way of a loss of sunlight, daylight, outlook and/ or privacy and complies with Policy DSP3 of the Local Plan Part 2: Development Sites and Policies.
- 8.11 DSP2 of the Local Plan Part 2 states that proposals should not have a significant adverse impact, either on neighbouring development, adjoining

land, or the wider environment, by reason of noise, heat, liquids, vibration, light or air pollution (including dust, smoke, fumes or odour).

- 8.12 Many of the comments received relate to noise disturbance and also the positions of windows/ doors and the materials not being soundproof. As a building of the same use, location and footprint can be built without the requirement for planning permission, with a slightly lower eaves height (as per the issued Certificate) it would be unreasonable to add conditions to the planning permission relating to hours of use or require the relocation of windows and doors especially given the separation distances above to the boundary. Furthermore the site remains as a single dwellinghouse and a single planning unit. As such the activity associated with the application site would be expected to be commensurate with a residential property.
- 8.13 The proposal is not considered to result in a significant adverse impact by way of noise and is considered to comply with Policy DSP2 of the Local Plan Part 2: Development Sites and Policies.

d) Other matters

- 8.14 Many of the third party comments received relate to the future use of the building. This application seeks permission for use of the building as a garden games room. This is a use which is considered to be incidental to the enjoyment of the dwelling house. Should the building be used for other purposes in the future and that purpose materially changes the use of the building then the Council would need to assess the need for planning permission and the merits of the case at that time.
- 8.15 It is however, suggested that a condition be added to the permission to limit the use of the building to those ancillary/ incidental to the main dwelling house.

9.0 Recommendation

9.1 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: Sadler 294.9
 - b. Site Plan
 - c. Location Plan

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

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

REASON: To ensure adequate internal and external space including parking provision is made and in the interest of the amenities of the area.

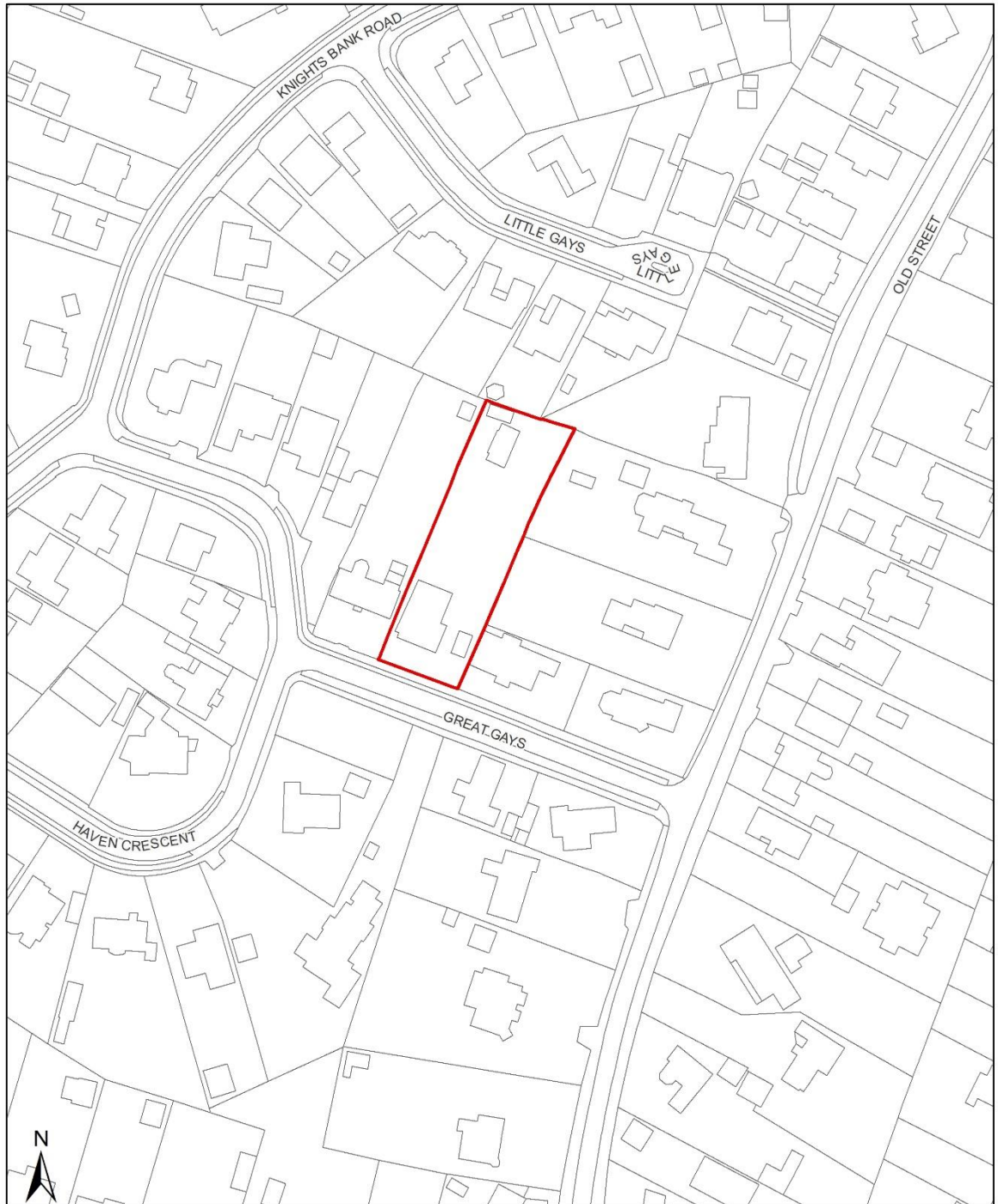
10.0 Background Papers

P/21/0237/LP

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FAREHAM

BOROUGH COUNCIL



2 Great Gays

Scale 1:1,250

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