

## **OFFICER REPORT FOR COMMITTEE**

**DATE: 23<sup>rd</sup> March 2022**

**P/21/1935/FP**

**MR & MRS SHIRES**

**HILL HEAD**

**AGENT: LOMAX DESIGNS**

REPLACE EXISTING ROOF WITH A FLAT ROOF, REPLACEMENT CONSERVATORY, REPLACEMENT GARAGE, ALTERATION AND REPLACEMENT OF WINDOWS.

45 HILL HEAD ROAD, FAREHAM

### ***Report By***

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#### **1.0 *Introduction***

- 1.1 The application is reported to planning committee as more than five third party letters of representation have been received.

#### **2.0 *Site Description***

- 2.1 The site is located on the south side of Hill Head Road and backs onto the seafront. There is a dramatic change in levels within the site with the land sloping sharply down towards the seafront.
- 2.2 The site is in a residential area with dwellings to the north and on either side.
- 2.3 There is a garage and an area of hard surfacing to the front of the existing dwelling and a raised terrace to the rear. There are steps leading from the house down to the garden next to the east and west boundaries.
- 2.4 The majority of the garden is laid to lawn and of an open character.

#### **3.0 *Description of Proposal***

- 3.1 The application seeks to replace the existing pitched roof with a flat roof, replace the existing conservatory with a single storey rear extension of the same footprint; replace the existing garage, update the external materials (off-white render at ground floor level with vertical timber cladding at first floor level) together with alterations to the fenestration. A privacy screen is also proposed on the west side of the existing terrace.

#### **4.0 *Policies and Guidance***

- 4.1 The following policies and guidance apply to this application:

**Adopted Fareham Borough Core Strategy**

CS4 Green Infrastructure, Biodiversity and Geological Conservation  
CS5 Transport Strategy and Infrastructure  
CS6 The Development Strategy  
CS11 Development in Portchester, Stubbington and Hill Head and Titchfield  
CS17 High Quality Design

### **Adopted Development Sites and Policies**

DSP1 Sustainable Development  
DSP3 Impact on Living Conditions  
DSP13 Nature Conservation

### **Other Documents:**

Fareham Borough Design Guidance: Supplementary Planning Document (excluding Welborne) December 2015  
Residential Car Parking Standards 2009

### **5.0 Relevant Planning History**

5.1 There are no applications of relevance to this site.

### **6.0 Representations**

6.1 Representations from 7 households were received.

The owner of no. 41 to the immediate east of the site has written in support of the application and makes the following points:

- The house is in need of repair and updating
- The proposed balcony is the same as the existing balcony and will therefore not result in any additional overlooking
- The design is appropriate given the variety of different styles in the area

Six objections have been received which raise the following concerns:

- Inappropriate design
- Loss of privacy to no.47
- Loss of light to no. 47
- Loss of outlook to no. 47
- Lack of screening

Amended plans were submitted which removed the rear terrace originally proposed however the neighbour at no. 47 (to the west) remains concerned about a loss of privacy from the replacement balcony.

### **7.0 Consultations**

Natural England

Comments outstanding

## **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) Principle of Development
- b) Design and Effect on the Character of the Area
- c) Impact on Neighbouring Properties;
- d) Highways and Car Parking;
- e) Ecology

a) Principle of Development

8.2 The proposed alterations are to an existing dwelling within the urban where extensions are acceptable in principle.

b) Design and Effect on the Character of the Area

8.3 The proposed replacement garage is of a similar size and design to the existing garage and located in the same position to the front of the dwelling. The replacement garage will be visible from Hill Head Road but will have a limited impact on the character of the area given the similarities to the existing garage.

8.4 The application does not propose any increase to the footprint of the dwelling. The proposed replacement of the pitched roof with a flat roof would result in a decrease in the overall height of the building. The decreased height of the building is not considered to be so significant that it would result in a dwelling that is of an inappropriate height compared to the neighbouring properties.

8.5 The proposed flat roof, single storey rear extension and materials would create a dwelling of a more contemporary design. There are a variety of different architectural styles in the area including contemporary, flat roofed buildings such as number 65 Hill Head Road. The proposed alterations to no. 45 to create a more contemporary appearance are therefore considered to be appropriate and to respond positively to the character of the area in accordance with policy CS17 and the NPPF.

8.6 The use of appropriate materials will be critical to ensuring that the dwelling is of a high quality design therefore it is recommended that a condition is incorporated to require samples to be submitted and approved.

c) Impact on Neighbouring Properties:

8.7 The application proposes 2 additional windows at first floor level in the east elevation however these windows are both proposed to be obscure glazed and of a design that can't be opened below 1.7m; they will not result in a material loss of privacy to no. 43. The proposed flat roofed, single storey extension with

a balcony above it will replace the existing conservatory and balcony and will therefore not have any increased adverse impact on no. 43 in terms of loss of outlook, privacy or amount of available sunlight.

- 8.8 Objections have been submitted regarding the impact that the proposed alterations would have on the amenities of no. 47 to the west of the site. The applicant has submitted amended plans which seek to minimise the impact of the development and protect the amenities of no. 47.
- 8.9 There is a secondary window in no. 47's east facing elevation from which the proposed alterations would be visible. An existing garden access stair runs between this window and the existing terrace. There are no additional windows proposed within the west elevation and the proposed single storey extension is no larger than the existing conservatory. The replacement balcony above the single storey extension will also be no larger than the existing balcony and a 1.8m high obscure glazed privacy screen is proposed on the terrace to the west of the single storey extension to prevent any overlooking of no. 47 from the existing terrace. The proposed alterations and replacement extension and balcony are therefore considered to be acceptable and to comply with policy DSP3.

d) Highways and Car Parking:

- 8.10 The application proposes to replace the existing garage with one of a similar size and design. The proposed development would not result in any loss of car parking and would not have an adverse impact on the safety of the highway. The application therefore accords with policy CS5.

e) Ecology

- 8.11 Policy DSP13: Nature Conservation of the Local Plan Part 2 confirms the requirement to ensure that designated sites, sites of nature conservation value, protected and priority species populations and associated habitats are protected from development and where appropriate enhanced.

- 8.12 In light of their importance, areas within The Solent have been specially designated under UK/ European law. Amongst the most significant designations are Special Protection Areas (SPA) and Special Areas of Conservation (SAC). These are often referred to as 'Protected Sites' (PS).

- 8.13 Regulation 63 of the Habitats and Species Regulations 2017 provides that planning permission can only be granted by a 'Competent Authority' if it can be shown that the proposed development will either not have a likely significant effect on designated European sites or, if it will have a likely significant effect, that effect can be mitigated so that it will not result in an adverse effect on the integrity of the designated European sites. This is done following a process known as an Appropriate Assessment. The Competent Authority is responsible for carrying out this process, although they must consult with Natural England and have regard to their representations. The Competent Authority is the Local Planning Authority.

- 8.14 The Council has completed an Appropriate Assessment to assess the likely significant effects of the development on the PS. The key consideration for the assessment of the likely significant effects is the impact of the proposed development on the sensitive sites in terms of pollution and contamination as a result of surface water drainage during the construction process. The Council has concluded within an Appropriate Assessment that the proposed planning condition will ensure no adverse effect on the integrity of the PS either alone or in combination with other plans or projects due to the requirement for the applicant to submit a Construction Environmental Management Plan.
- 8.15 Natural England has been consulted on the Council's Appropriate Assessment and their comments are awaited. It is considered that the development accords with the Habitat Regulations and complies with Policies CS4 and DSP13 and DSP15 of the adopted Local Plan.

## **9.0 Summary**

- 9.1 Notwithstanding the objections received, Officers consider the proposal represents a high quality design which would not harm the character of the area.
- 9.2 The proposed extensions and alterations would not have an unacceptable adverse impact upon neighbouring properties with the imposition of conditions relating to screening, and restrictions on the design of specified windows.

## **10.0 Recommendation**

- 10.1 DELEGATE to the Head of Development Management, in consultation with the Solicitor to the Council, to consider any comments received from Natural England relating to the consultation on the Appropriate Assessment and make any minor modifications to the proposed conditions, addition of conditions or any other subsequent minor changes arising as a result of Natural England's comments regarding the Appropriate Assessment;

then

- 10.2 GRANT PLANNING PERMISSION, subject to the following Conditions:

1. The development hereby permitted shall be begun before 3 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 hereby permitted shall be carried out strictly in accordance with the following drawings/documents:

-Site plan Drawing no. 21-07-45HH-2100 Rev P3

- South elevations Drawing no. 21-07-45HH-2020 Rev P3
- North elevations Drawing no. 21-07-45HH-2021 Rev P3
- Streetscene elevations Drawing no. 21-07-45HH-2022 Rev P3
- West elevations Drawing no. 21-07-45HH-2023 Rev P3
- East elevations Drawing no. 21-07-45HH-2024 Rev P3
- West elevations & privacy screen Drawing no. 21-07-45HH-2035 Rev P3
- Proposed privacy screen Drawing no. 21-07-45HH-2035 Rev P2
- Ground floor plans Drawing no. 21-07-45HH-2010 Rev P3
- First floor plans Drawing no. 21-07-45HH-2011 Rev P3
- Roof plans Drawing no. 21-07-45HH-2012 Rev P3
- Garden plans Drawing no. 21-07-45HH-2015 Rev P3

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

3. No development hereby permitted shall proceed beyond damp proof course level until details and samples of all proposed external facing and hardsurfacing materials have been submitted to and approved by the Local Planning Authority in writing. The development shall be carried out in accordance with the approved details.

REASON: To secure the satisfactory appearance of the development.

4. The development hereby approved shall not be brought into use until a 1.8 metre high obscure glazed boundary screening/privacy screening indicated on the approved plans has been erected. The screening shall subsequently be retained at all times in accordance with the approved details.

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

5. No development shall take place on site until a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved CEMP (unless otherwise agreed in writing by the local planning authority) which shall include (but shall not necessarily be limited to):

a) Details of how provision is to be made for the parking of operatives/contractors'/sub-contractors' vehicles and/or construction vehicles;

b) Location of temporary site buildings, compounds, construction material, and plant storage areas used during demolition and construction;

c) Measures to control vibration in accordance with BS5228:2009 which prevent vibration above 0.3mms-1 at the boundary of the SPA;

d) Measures to minimise noise levels to below 70dB(A) for continuous noise and 50dB(A) for sudden based noise or the restriction of noise generating work to within the months of April to September only

- d) Provision for storage, collection, and disposal of rubbish from the development during construction period;
- e) No burning on-site;
- f) Scheme of work detailing the extent and type of any piling proposed;
- g) A construction-phase drainage system to prevent pollutants from leaving the site;
- h) Safeguards for fuel and chemical storage and use, to ensure no pollution of the surface water leaving the site.

REASON: In the interests of highway safety and in the interests of protecting nearby sites of ecological importance from potentially adverse impacts of development. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid the potential impacts described above.

6. The first floor windows proposed to be inserted into the east Elevation of the approved development shall be:

- a) Obscure-glazed; and
- b) Of a non-opening design and construction to a height of 1.7 metres above internal finished floor level;

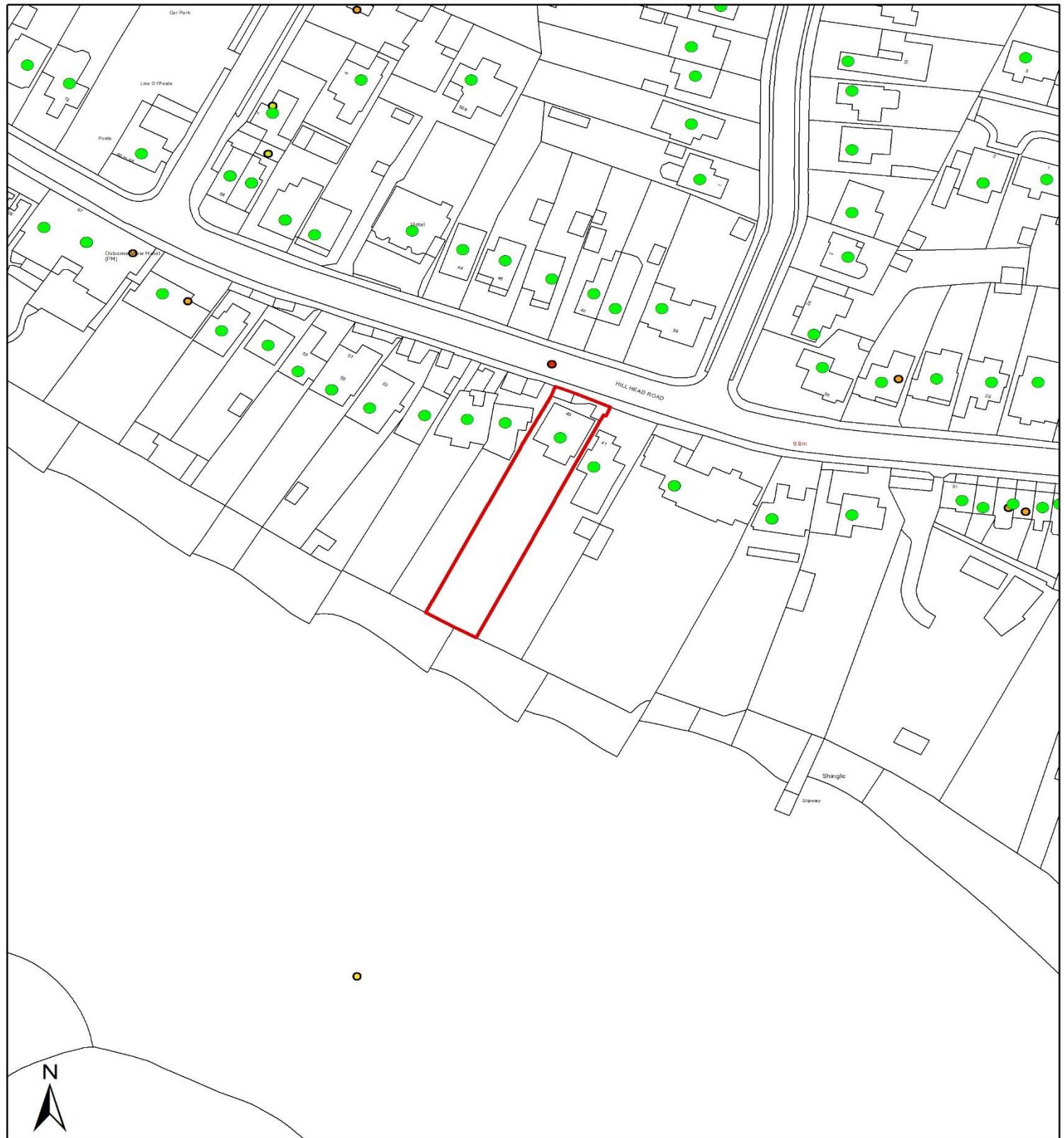
and shall thereafter be retained in that condition at all times.

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

#### **11.0 *Background Papers***

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# FAREHAM BOROUGH COUNCIL



45 Hill Head Road

Scale 1:1,250

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