

The information, recommendations and advice contained in this report are correct as at the date of preparation, which is more than two weeks in advance of the Committee meeting. Because of these time constraints some reports may have been prepared in advance of the final date given for consultee responses or neighbour comment. Any changes or necessary updates to the report will be made orally at the Committee meeting.

Case Officer	Chris Jones
Application No.	17/00744/REVPP
Date Valid	8th September 2017
Expiry date of consultations	29th September 2017
Proposal	MINOR MATERIAL AMENDMENTS to development approved under planning permission 16/00451/FULPP dated 16/08/2016 (for erection of 1 x studio flat, 2 x one bedroom flats and 1 x two bedroom flat with associated car parking,) to create a new parapet wall in the boundary with number 8 Queens Road, to add a dormer on the East elevation to create the required headroom for the approved stairs, to add six additional high-level roof-lights on the second floor to give more light to the property and one additional roof-light to provide a light tunnel to serve flat 3 of the first floor and amendments to internal layout of flats
Address	<b>10 Queens Road Farnborough Hampshire GU14 6DN</b>
Ward	St Mark's
Applicant	Mr & Mrs A & K Sahni
Agent	Mr Christos Papadopoulos
Recommendation	<b>GRANT</b>

### **Description**

The application site is on the northern side of Queens Road and formerly contained a single-storey retail unit. In August 2016, planning permission 16/00451/FULPP was granted for the demolition of the building and the erection of a new three-storey building on the site. This would contain a studio flat and a service area at ground floor level (including access and car parking, bin storage and cycle parking), one one-bedroom flat and one two-bedroom flat at first floor level and one one-bedroom flat at second-floor level, which would be contained within the roof-space. Details were approved pursuant to all of the pre-commencement conditions under reference 17/00012/CONDPP and the required S106 contributions were paid in full, in order to mitigate the impact of the development on the Thames Basin Heaths Special Protection Area. Construction of this building is now under way.

The current application proposes a number of amendments to the approved scheme:

1 - The provision of a shallow dormer over the stairwell in place of the flush roof as originally approved to allow additional headroom, in order to comply with the Building Regulations.

2 - To add a parapet wall to the edge of the roof adjoining 8 Queens Road in place of overhanging eaves and guttering, as access is not available for construction of the roof guttering.

3 - Reconfiguration of the flats on the second and third floors to incorporate an additional ensuite bathroom.

4 - Provision of additional high-level roof lights to provide natural daylight to the bathroom and ensuite bathroom of the second floor flat and to provide additional natural daylight to the kitchen/living room area of this flat and a roof-light to serve a light-tunnel that would provide additional daylight to the kitchen area of one of the first floor flats.

5 - Reconfiguration of the ground floor studio unit to form a one-bedroom flat.

### **Neighbours notified**

In addition to posting a site notice, 26 individual letters of notification were sent to addresses in Queens Road and Church Path.

### **Neighbour comments**

The occupiers of 5 and 8 Queens Road have objected to the proposed additional roof-lights on the grounds that they believe that they will facilitate the provision of additional bedrooms in the flats, for which there would be insufficient parking.

The occupier of 8 Queens Road queries why the roof design over the stairwell needs to be amended and why additional light is required in the flats, given that the Council considered the original design of these flats to be acceptable.

He also objects to the inclusion of the parapet wall fronting his property as it would further reduce the amount of direct sunlight reaching his roof-mounted solar panels.

The occupier of 8A Queens Road objects to the proposal on the grounds that the inclusion of a parapet would adversely affect natural daylight to the east facing windows in his property and the additional roof-lights would result in a loss of privacy. Both the occupiers of 8 and 8A Queens Road consider that the proposal would affect their right to light.

### **Policy and determining issues**

The site is located within the built-up area as defined in the Rushmoor Core Strategy and Policy CP2 (Design and Heritage) is considered to be relevant, along with the relevant sections of the National Planning Policy Framework and the Government's Technical housing standards - nationally described space standard.

The main determining issues are considered to be the principle of the development, the impact upon visual amenity and character of the area, the impact upon adjacent properties, the impact upon the amenity of the occupants of the development and other matters.

## Commentary

### Principle -

The Council has already granted planning permission for the residential development at this site. The amendments proposed are considered to be minor, but material changes to the approved scheme, and would be acceptable in principle, provided that they do not adversely affect visual amenity and the character of the area, the amenity of nearby residents or the living conditions of the occupants of the proposed flats.

### Impact upon Visual Amenity and the Character of the Area -

The most significant of the changes proposed in visual terms is the incorporation of a parapet wall on the side elevation to 8 and 8a Queens Road. It is understood that this amendment is being proposed as the applicant has been unable to obtain the necessary permission from the adjacent land-owners to construct the eaves and guttering over their land as shown on the originally approved plans. It is considered that this amendment would not render the appearance of the overall building significantly different from the approved design. The proposed dormer to accommodate the stairwell would be towards the rear of the building, would have a shallower roof pitch than the main roof and would extend only 1m above the main roof at its highest. Due to the effects of perspective and the height of the adjacent building, it is considered that this dormer would not be readily visible from the street and would have little impact upon the visual amenity of the building or the character of the area. Similarly, it is considered that the proposed additional roof-lights on the side facing roof-slopes will have little impact upon the visual amenity of the proposed building.

### Impact upon Neighbours -

The incorporation of a parapet wall would increase the height of the brickwork of the side elevation of the building by approximately 1m and this would be noticeable from the side facing windows of 8a Queens Road, which is a residential flat. However, it is considered that this amendment, would not have such an impact upon the outlook and residential amenity of the occupants of 8A Queens Road as to render the development unacceptable. The parapet wall would have little material impact upon direct sunlight reaching this flat, as the top of the roof of the building would be substantially higher and in this respect the relationship would be unchanged. Except for the rooflight serving the first floor flat, the proposed additional roof-lights in the roof slope facing 8 & 8A Queens Road would be fitted at a height of 1.7m above the finished floor level of the second floor flat and would be positioned well above the height of the facing windows on 8 and 8a Queens Road. Consequently, it would not be possible to gain a view from these windows into those of the adjoining flat. The incorporation of the parapet wall adds an additional screen in this respect. Consequently, it is considered that the proposed amendments would have little impact upon the privacy of the occupants of 8A Queens Road or indeed any other residential properties in the vicinity. The dormer on the opposite side of the roof would not be readily visible from any residential property.

### Amenity of Occupants -

The proposal to add ensuite bathrooms would not result in any change to the overall floor areas of the flats and the bedrooms would still comply with the dimensions required by the Technical housing standards - nationally described space standard. An acceptable living environment would be maintained in this respect. The additional rooflights would enhance natural daylight in the flats concerned.

## Other Matters -

Objectors have expressed concern that the proposed additional roof-lights will allow the construction of an additional bedroom in the second floor flat, for which there would be insufficient car parking. The disposition of the additional roof-lights proposed is entirely consistent with the layout of the flats as shown and this is the proposal under consideration. The grant of planning permission would be conditional upon compliance with approved plans and any departure therefrom would require planning permission.

One objector has also queried the need for the amendments, given that the council considered the original scheme to be acceptable. The issue of headroom in the stairwell was not addressed during the original application as it is not a requirement of the planning process to check compliance with Building Regulations. Once planning permission has been obtained, a developer is entitled to make changes to his proposals as circumstances dictate - as in the case of the need for the parapet wall, or as he sees fit, as in the case of the other amendments.

The owner of 8 Queens Road objects to the parapet wall as it would further block direct sunlight from reaching his roof-mounted solar panels which are located on a single storey roof. A similar objection was raised in respect of the approved scheme, where it was noted that the question turns on whether the property at 8 Queens Road has a right to receive this light, and like most other right-to-light issues, this is a private legal matter between the parties concerned.

It is considered that the proposed amendments will not materially or adversely affect the character and amenity of the area, the amenity, outlook and privacy of the adjoining residents, or the amenity of the occupants of the proposed flats. The proposal accords with Policy CP2 of the Rushmoor Core Strategy.

## FULL RECOMMENDATION

It is recommended that permission be **GRANTED** subject to the following conditions:

- 1 The permission hereby granted shall be carried out in accordance with the following approved drawings - BR-04 REV F, BR-05 REV E, BR-06 REV E, BR-07 REV E, BR-08 REV F, BR-09 REV D and BR-16.

Reason - To ensure the development is implemented in accordance with the permission granted

- 2 The development shall be carried out and completed in accordance with the details that were approved under reference 17/00012/CONDPP on 19/5/2017, pursuant to conditions 3, 4, 5, 6, 7, 8, 10 and 13 of planning permission 16/00451/FULPP.

Reason - To ensure a satisfactory form of development.

- 3 The parking spaces shown on the approved plans shall be provided before the first occupation of the development hereby permitted and used only for the parking of vehicles ancillary and incidental to the residential use. These spaces shall be kept available at all times for parking and shall not be used for the storage of caravans, boats or trailers.

Reason - To safeguard residential amenity and ensure the provision and availability of adequate off-street parking.

- 4 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the practical completion of the development, whichever is the sooner.

Reason -To ensure the development makes an adequate contribution to visual amenity.

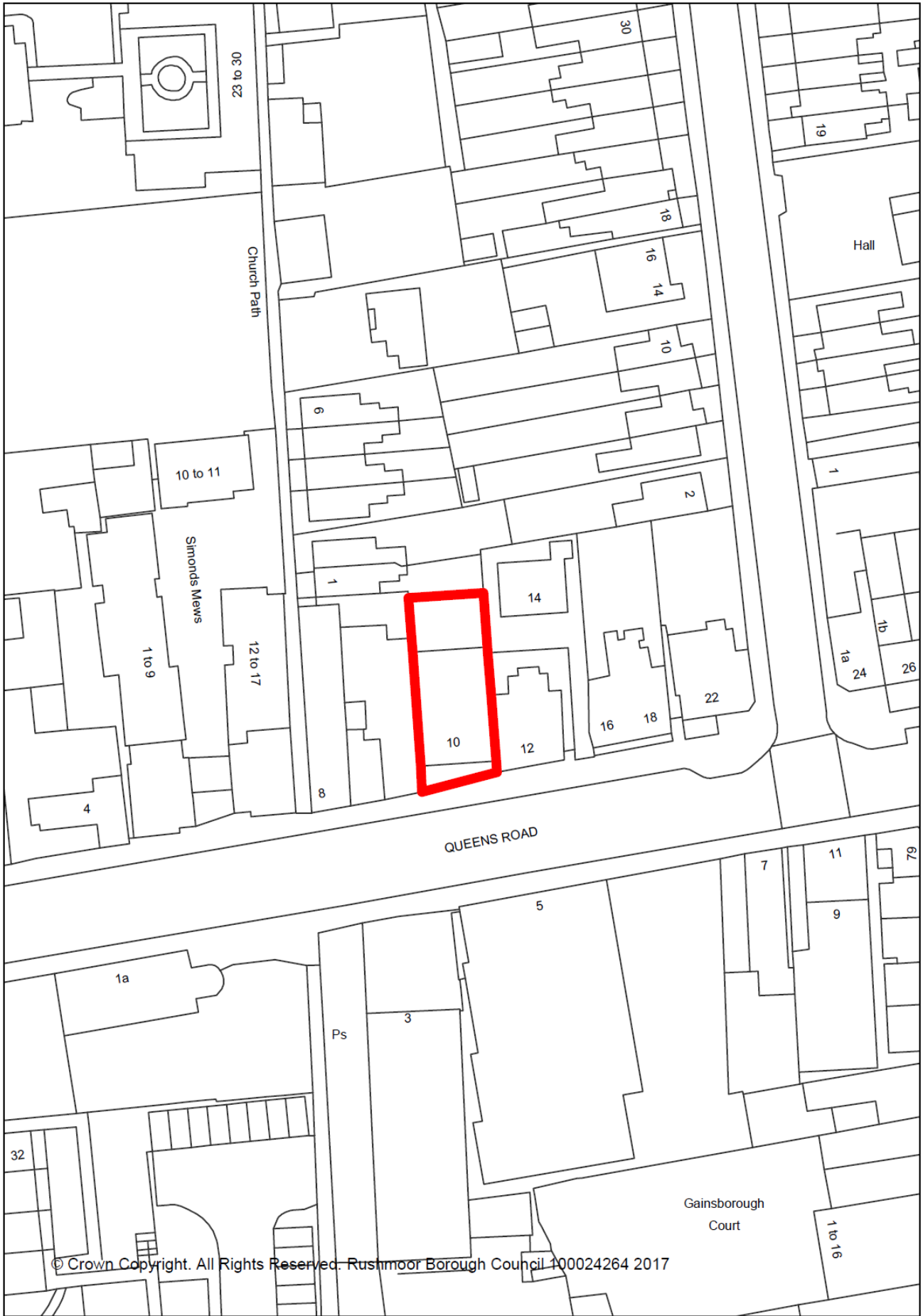
- 5 Construction or demolition work of any sort within the area covered by the application shall only take place between the hours of 0800-1800 on Monday to Fridays and 0800-1300 on Saturdays. No work at all shall take place on Sundays and Bank or Statutory Holidays.

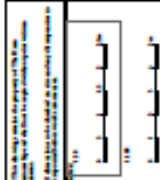
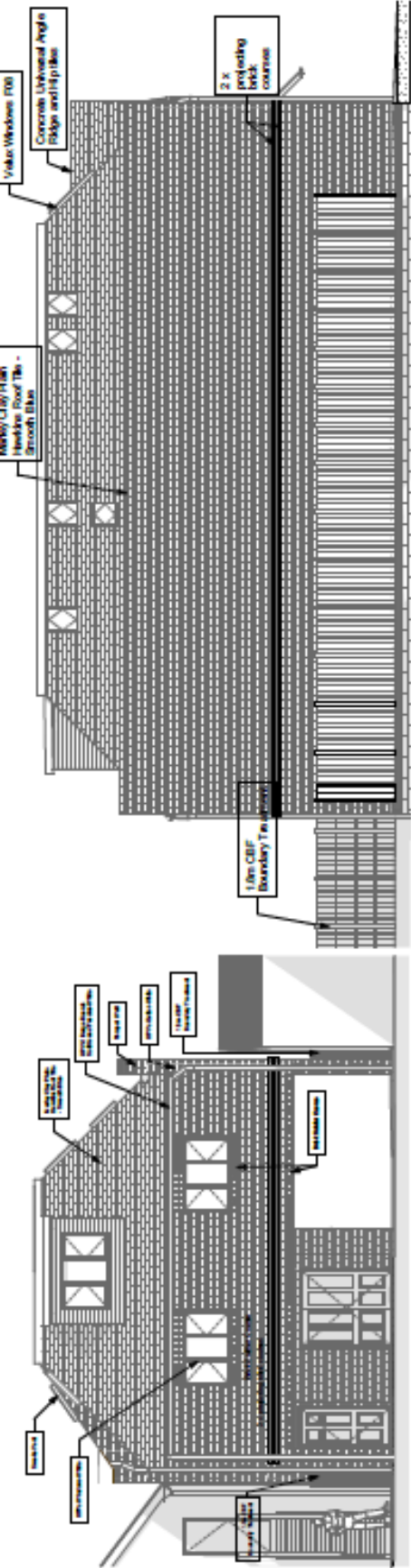
Reason - To protect the amenities of neighbouring residential properties and to prevent adverse impact on traffic and parking conditions in the vicinity.

### **Informatives**

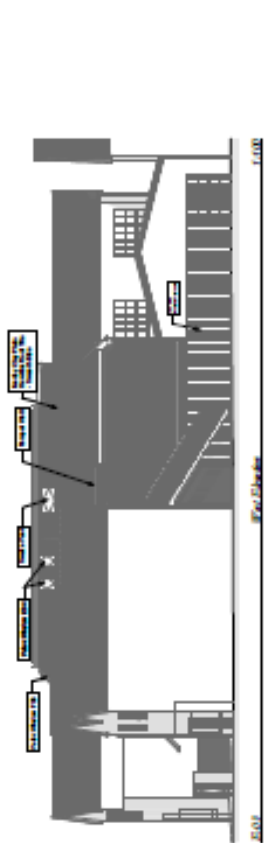
- 1 **INFORMATIVE** – The Local Planning Authority’s commitment to working with the applicants in a positive and proactive way is demonstrated by its offer of pre-application discussion to all, and assistance in the validation and determination of applications through the provision of clear guidance regarding necessary supporting information or amendments both before and after submission, in line with the National Planning Policy Framework.
- 2 **INFORMATIVE - REASONS FOR APPROVAL-** The Council has granted permission because it is considered that the proposed amendments will not materially and adversely affect the character and amenity of the area, the amenity, outlook and privacy of the adjoining residents, or the amenity of the occupants of the proposed flats. The proposal accords with Policy CP2 of the Rushmoor Core Strategy. It is therefore considered that subject to compliance with the attached conditions, and taking into account all other material planning considerations, including the provisions of the development plan, the proposal would be acceptable. This also includes a consideration of whether the decision to grant permission is compatible with the Human Rights Act 1998.
- 3 **INFORMATIVE** - The applicant is advised to contact the Recycling and Waste Management section at Rushmoor Borough Council on 01252 398164 with regard to providing bins for refuse and recycling. The bins should be: 1) provided prior to the occupation of the properties; 2) compatible with the Council's collection vehicles, colour scheme and specifications; 3) appropriate for the number of occupants they serve; 4) fit into the development's bin storage facilities.
- 4 **INFORMATIVE** - The planning permission hereby granted does not authorise the applicant, or his agents, to construct a new/altered access to, or other work within, the public highway. A separate consent for works within the highway must first be obtained from the highway authority who may be contacted at the following address:- Hampshire County Council Highways Sub Unit, M3 Motorway Compound, Hook, Hampshire, RG27 9AA.

- 5 INFORMATIVE - Measures should be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway throughout the construction period.
- 6 INFORMATIVE - No materials produced as a result of site preparation, clearance, or development should be burnt on site. Please contact the Head of Environmental Health for advice.
- 7 INFORMATIVE - The applicant is advised that there may be a need to comply with the requirements of the Party Wall (etc.) Act 1996 before starting works on site. The Party Wall (etc.) Act is not enforced or administered by the Council but further information can be found on the Planning Portal website <https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance> and you are able to download The party Wall Act 1996 explanatory booklet.
- 8 INFORMATIVE - It is a legal requirement to notify Thames Water of any proposed connection to a public sewer. In many parts of its sewerage area, Thames Water provides separate public sewers for foul water and surface water. Within these areas a dwelling should have separate connections: a) to the public foul sewer to carry waste from toilets, sinks and washing machines, etc, and b) to public surface water sewer for rainwater from roofs and surface drains. Mis-connections can have serious effects: i) If a foul sewage outlet is connected to a public surface water sewer this may result in pollution of a watercourse. ii) If a surface water outlet is connected to a public foul sewer, when a separate surface water system or soakaway exists, this may cause overloading of the public foul sewer at times of heavy rain. This can lead to sewer flooding of properties within the locality. In both instances it is an offence to make the wrong connection. Thames Water can help identify the location of the nearest appropriate public sewer and can be contacted on 0845 850 2777.
- 9 INFORMATIVE - The applicant is advised that during the demolition and construction phases of the development measures should be employed to contain and minimise dust emissions, to prevent their escape from the development site onto adjoining properties. For further information, please contact the Head of Environmental Health.





E02 New Elevations E03 East Elevation



1	Project No.	100
2	Project Name	100
3	Project Location	100
4	Project Date	100
5	Project Status	100

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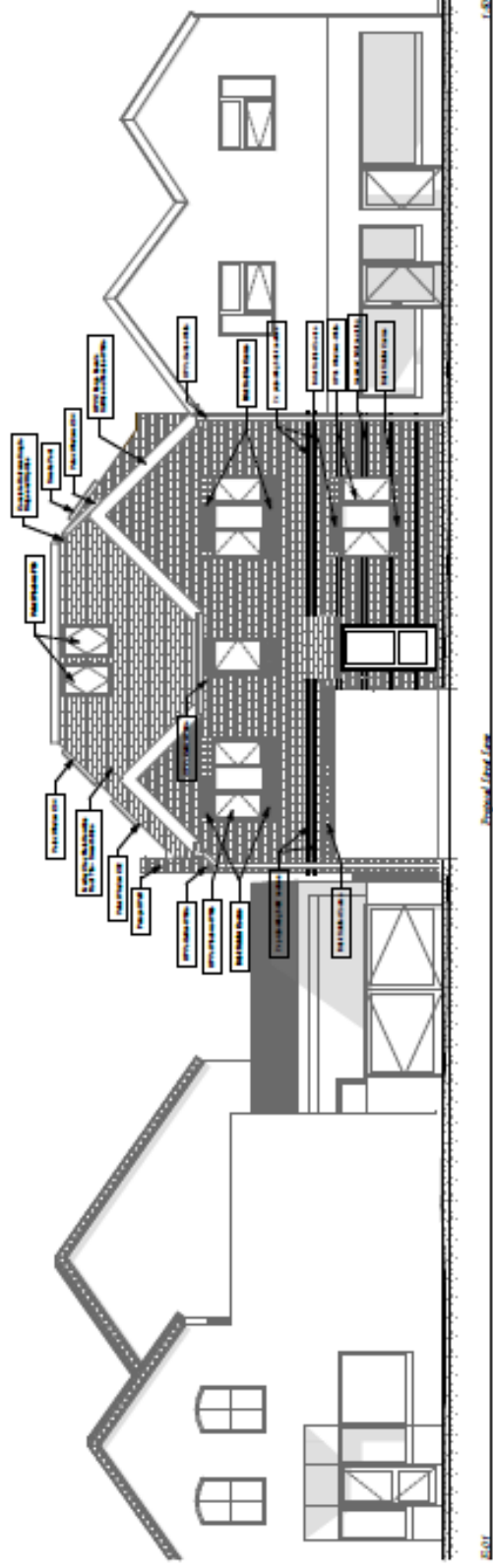
Mr. & Mrs. A. K. Smith

1000 Main Street  
Portland, ME 04101

Project No. 100

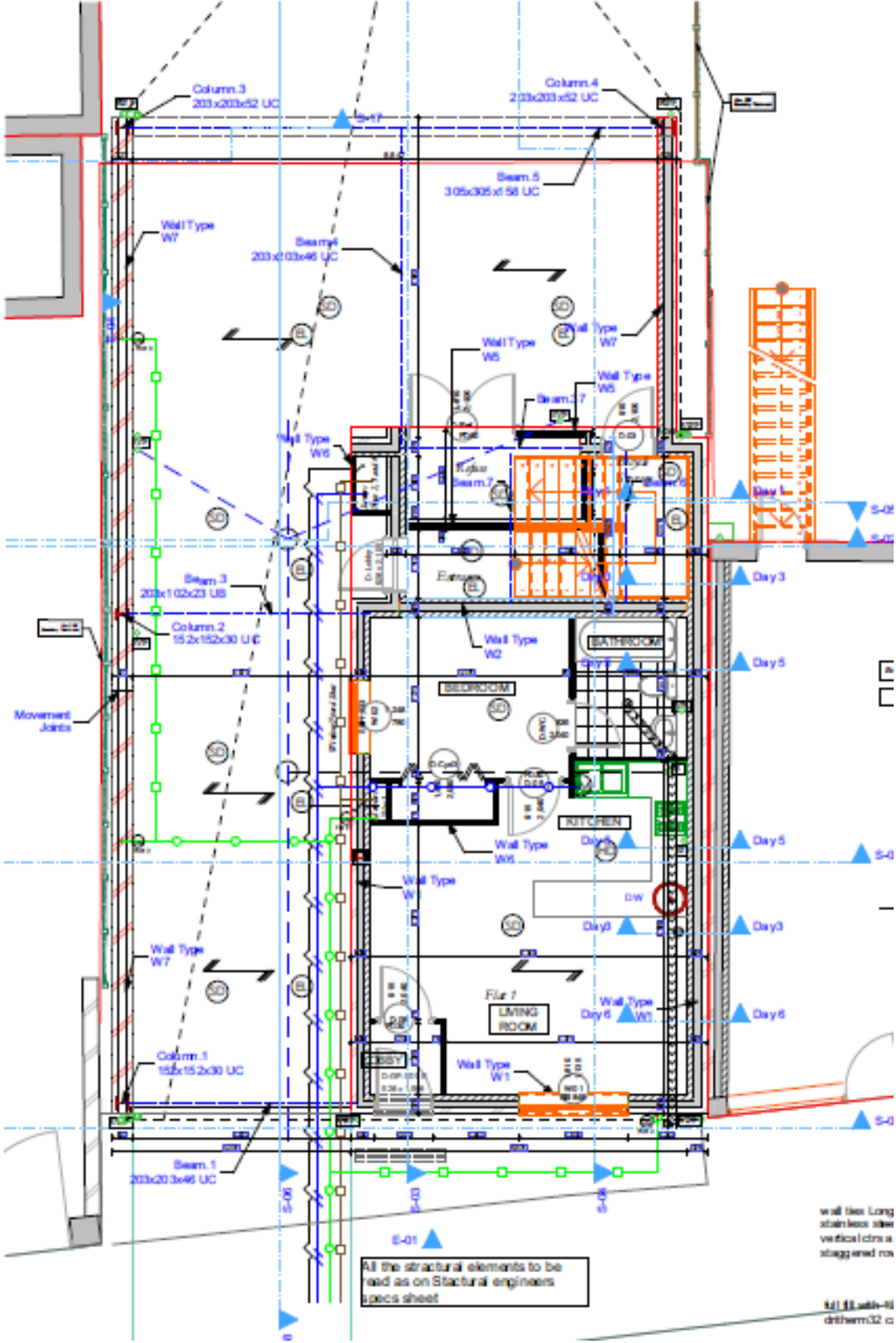
370 Major Amendment

DATE	BY	APP. BY
10/16/16	100	100

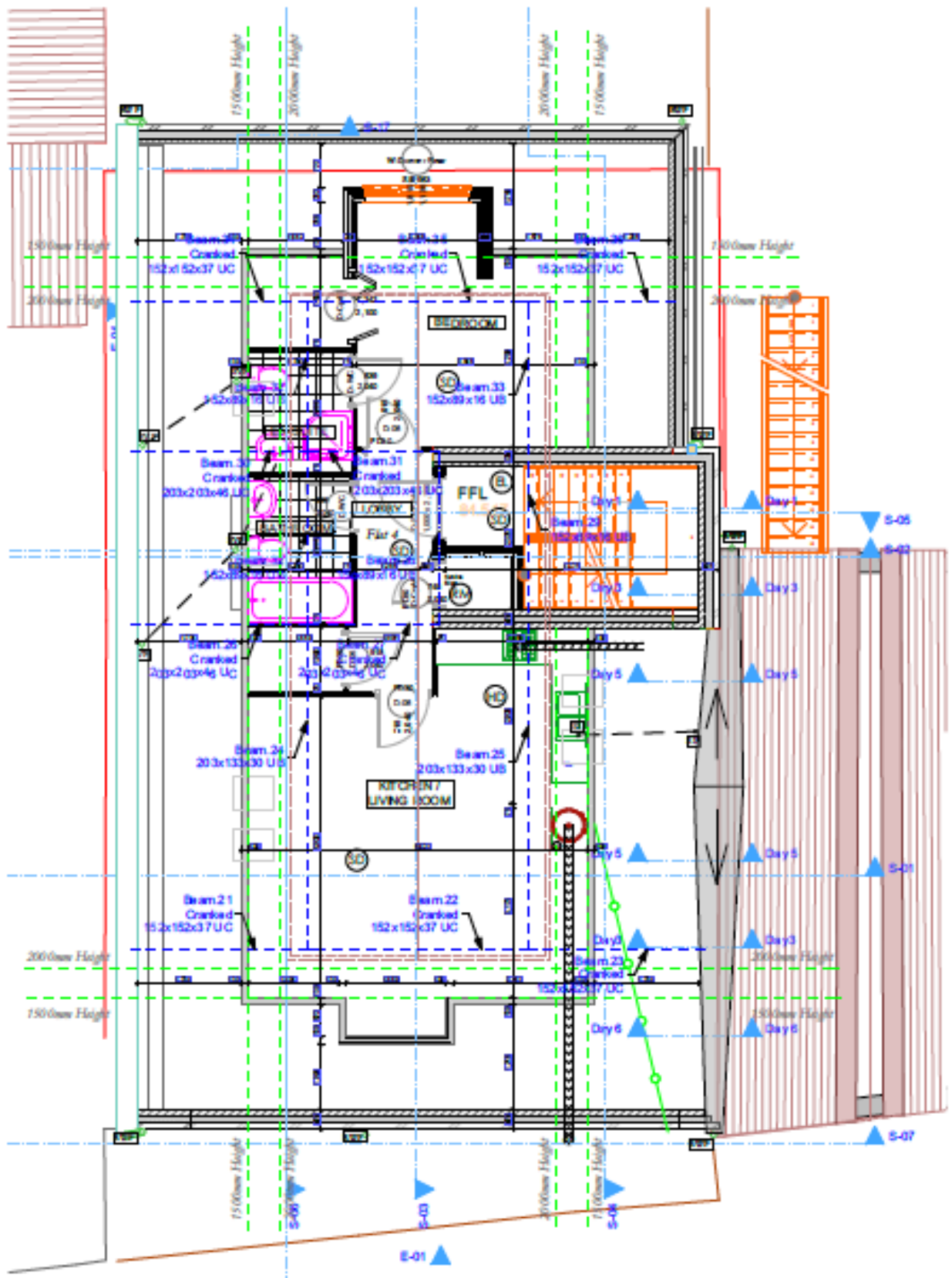


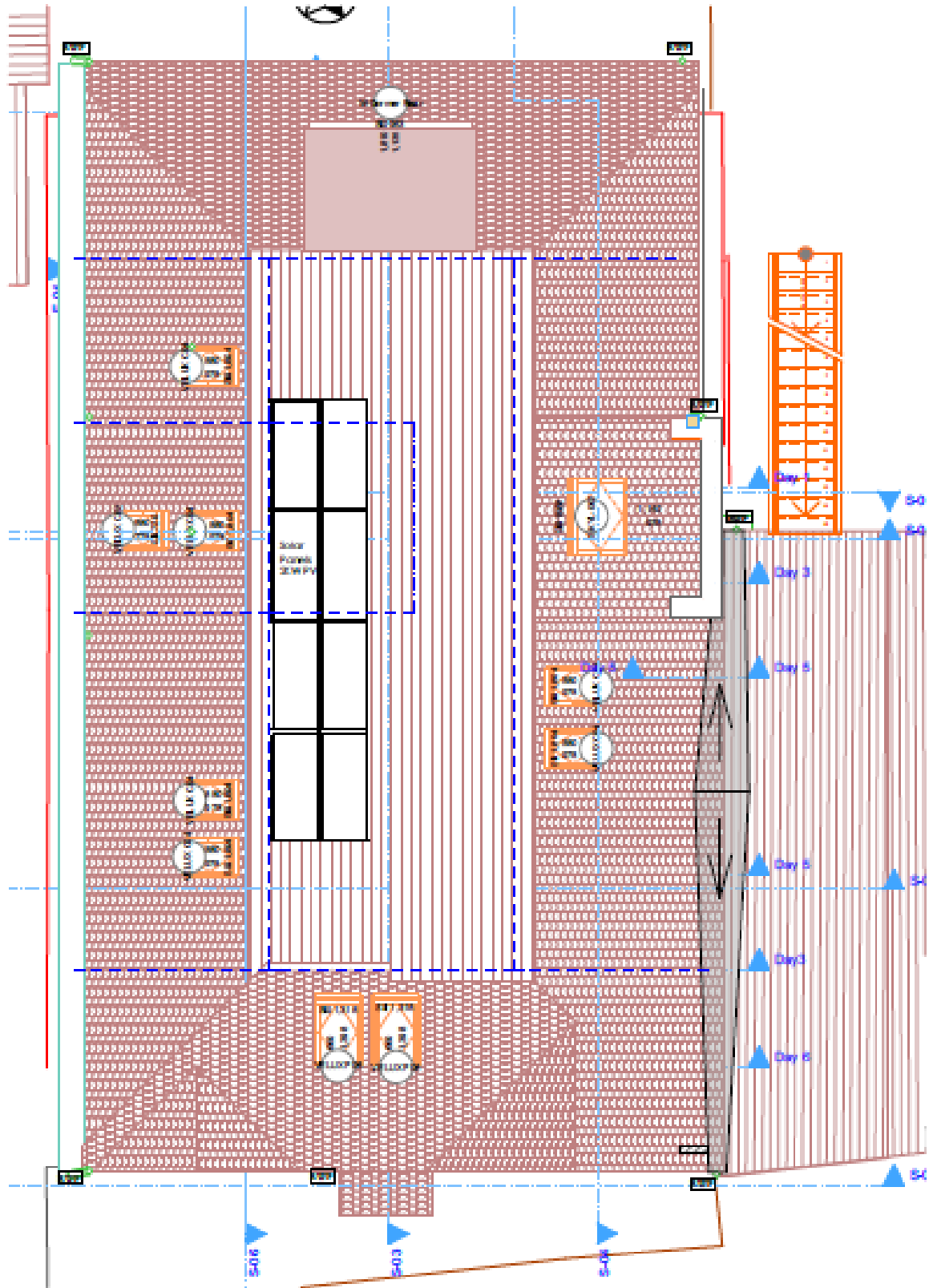
E04 Rear Elevations E05 Rear Elevations











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**THE KEEN PARTNERSHIP**

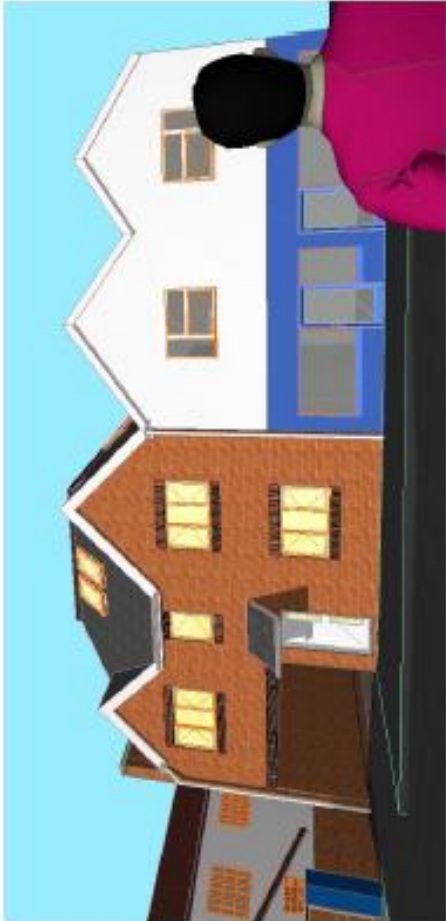
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300 V Street  
 Lincoln, NE 68502

3753 Maple Avenue (Home)	
ADDRESS	CITY
68502	NE
1001 S. 10th	68502
300 V Street	68502



FD N&T Owners Rd View



FD Side View



FD Porch View



FD Rear View