

Please ask for:

Lisa Young

Direct dial:

(023) 9254 5227

Fax:

(023) 9254 5587

E-mail:

Lisa.young@gosport.gov.uk

25 February 2013

S U M M O N S

MEETING: Regulatory Board
DATE: 5 March 2013
TIME: 6pm
PLACE: Council Chamber
Democratic Services contact: Lisa Young

LINDA EDWARDS
BOROUGH SOLICITOR

MEMBERS OF THE BOARD

The Mayor (Councillor Dickson) (ex officio)
Chairman of the P and O Board (Councillor Hook) (ex officio)

Councillor Ronayne(Chairman)
Councillor Carter CR (Vice Chairman)

Councillor Ms Ballard	Councillor Henshaw
Councillor Beavis	Councillor Mrs Hook
Councillor Ms Diffey	Councillor Jessop
Councillor Farr	Councillor Langdon
Councillor Gill	Councillor Wright

FIRE PRECAUTIONS

(To be read from the Chair if members of the public are present)

In the event of the fire alarm being activated, please leave the room immediately. Proceed downstairs by way of the main stairs or as directed by GBC staff, following any of the emergency exit signs. People with disability or mobility issues please identify yourself to GBC staff who will assist in your evacuation of the building.

Legal Democratic and Planning Services: Linda Edwards – Borough Solicitor
Switchboard Telephone Number: **(023) 9258 4242**
Britdoc Number: **DX136567 Gosport 2** Website: **www.gosport.gov.uk**

IMPORTANT NOTICE:

- If you are in a wheelchair or have difficulty in walking and require access to the Committee Room on the First Floor of the Town Hall for this meeting, assistance can be provided by Town Hall staff on request

If you require any of the services detailed above please ring the Direct Line for the Democratic Services Officer listed on the Summons (first page).

NOTE:

- i. Councillors are requested to note that, if any Councillor who is not a member of the Board wishes to speak at the Board meeting then the Borough Solicitor is required to receive not less than 24 hours prior notice in writing or electronically and such notice shall indicate the agenda item or items on which the member wishes to speak.
- ii. Please note that mobile phones should be switched off for the duration of the meeting.

AGENDA

Recommended
Minute Format

PART A ITEMS

1. APOLOGIES FOR NON-ATTENDANCE

2. DECLARATIONS OF INTEREST

All Members present are reminded to declare, at this point in the meeting or as soon as possible thereafter, any disclosable personal interest in any item(s) being considered at this meeting

3. MINUTES OF THE MEETING OF THE BOARD HELD ON 10 DECEMBER 2012

4. DEPUTATIONS – STANDING ORDER 3.5

(NOTE: The Board is required to receive a deputation(s) on a matter which is before the meeting of the Board provided that notice of the intended deputation and its object shall have been received by the Borough Solicitor by 12 noon on Friday, 1 March 2013. The total time for deputations in favour and against a proposal shall not exceed 10 minutes).

5. PUBLIC QUESTIONS – STANDING ORDER 3.6

(NOTE: The Board is required to allow a total of 15 minutes for questions from Members of the public on matters within the terms of reference of the Board provided that notice of such Question(s) shall have been submitted to the Borough Solicitor by 12 noon Friday, 1 March 2013).

6. REPORTS OF THE BOROUGH SOLICITOR

*Schedule of planning applications with recommendations.
(grey sheets – pages 1 –13 /1)*

PART II
Contact Officer:
Debbie Gore
Ext: 5455

7. ANY OTHER ITEMS

GOSPORT BOROUGH COUNCIL – REGULATORY BOARD

5th March 2013

ITEMS WITH RECOMMENDATIONS

1. Copies of drawings and accompanying planning applications referred to in this schedule will be made available for inspection by Members from 5.00 pm immediately prior to the meeting. Unless otherwise advised, these plans will be displayed in the room in which the Regulatory Board is to be held.
2. The number of objections and representations indicated in the schedule are correct at the time the recommendations were formulated. Should any representations be made after this date, these will be notified to the Regulatory Board during the officer presentation.
3. Copies of all representations received from the public will be made available for inspection by Members in the same way as drawings will be made available, referred to in Note 1 above.
4. An index of planning applications within this schedule can be found overleaf, together with a summary of each recommendation.

<u>Item</u>	<u>Page No</u>	<u>Appl. No.</u>	INDEX	
			<u>Address</u>	<u>Recommendation</u>
01.	3	11/00366/FULL	4A Prideaux-Brune Avenue Gosport Hampshire PO13 0UE	Grant Permission
02.	6	13/00007/FULL	159 Elson Road Gosport Hampshire PO12 4AB	Grant Permission
03.	10	13/00004/FULL	34 Carnarvon Road Gosport Hampshire PO12 3QP	Grant Permission

ITEM NUMBER: 01.
APPLICATION NUMBER: 11/00366/FULL
APPLICANT: Mr Bradley Hunt
DATE REGISTERED: 05.08.2011

RETENTION OF AND FURTHER WORKS TO ERECT A DETACHED OUTBUILDING
(amended material details received 22.11.12)
4A Prideaux-Brune Avenue Gosport Hampshire PO13 0UE

The Site and the proposal

The site is located on the west side of Prideaux-Brune Avenue and consists of a red brick detached house with a front garden, which is primarily a parking area. There is a pedestrian access on the north side of the property leading to the rear garden which has a tapered northern boundary. The garden is approximately 7.9 metres wide adjacent to the house and 3.8 metres wide at the rear boundary. There is an existing outbuilding, which is partially enclosed, that is described by the applicant as a 'gazebo'. This has a pitched roof approximately 3 metres high and is located 3.5 metres from the rear elevation of the house.

The neighbouring properties to the south are a pair of semi-detached properties with gardens that run parallel with the application site. Number 6 Prideaux-Brune Avenue has an existing shed which has a roof height of approximately 2 metres. The garden of number 4 to the north runs parallel to the application site, finishing part way along the boundary, with the remainder of the application site bordered by the rear boundary of number 1 Bridgemary Grove. To the west of the site is a parking court which, until recently, included garage blocks, with a 1.8 metre high fence forming the rear boundary of the application site. Number 3 Bridgemary Grove to the northwest of the site has a detached garage accessed from the parking court which is approximately 3 metres high, with a flat roof.

This application is for the retention of a detached outbuilding located towards the western end of the rear garden beyond the 'gazebo'. The building, which is largely complete, although not clad yet externally, has a tapered northern boundary to run parallel with the existing garden fence. The building is set in from the side boundaries by approximately 0.5 metres, 1.8 metres from the rear boundary and over 5 metres from the other existing outbuilding (the gazebo). It is 7 metres long on its southern boundary and the east elevation is 4.3 metres, being its widest point. The building has a pitched roof which is 2.3 metres high to the eaves and 3 metres high to the ridge and runs east to west. The original proposal was to clad the outbuilding in brick, however, revised details have been provided and the proposal is now to clad the building in cedar boarding.

Relevant Planning History

Nil

Relevant Policies

Gosport Borough Local Plan Review, 2006:
R/DP1
General Standards of Development within the Urban Area

Consultations

Nil

Response to Public Advertisement

1 petition of objection containing 4 signatures
Issues raised:-

- structures cover over 50% of rear garden area
- building is of excessive height and footprint and should be reduced in size
- results in poor outlook for occupiers of 1 Bridgemary Grove
- appearance is inappropriate
- insufficient room to erect brick walls
- insufficient space around the building for maintenance, which could attract vermin
- concern over run off from roof and due to area of garden covered in hard surface
- although located at the bottom of the garden the statement is misleading as it extends almost halfway into the garden
- description by applicant in respect of the buildings location and that of the existing 'gazebo' is misleading and its use can cause excessive noise at times until the early hours of the morning
- unclear whether use would be for business activities.

Principal Issues

1. The use of the existing 'gazebo' and any noise generated from it, where the activities are associated with and ancillary to, the lawful use of the residential property, are not matters that can be considered under this planning application. The applicant has not indicated any intention to use the building, the subject of this application, for business purposes and there is no evidence of such use of either this building or the 'gazebo'. Any business activities undertaken in either building may result in a material change of use of the property which may require planning permission. Although the building is sited close to the boundaries of the neighbouring properties, any issues of access or maintenance are a private matter between the applicant and interested parties. The main issues are therefore whether the proposal would have a detrimental impact on the character and appearance of the property and surrounding area and on the amenities of the occupiers of neighbouring properties.

2. Under 'permitted development' allowances it would be possible to erect a 2.5 metre high outbuilding in this location without the need for planning permission. This is provided the total area of all structures at the property does not cover more than 50% of the total curtilage (garden area). In this case the rear garden has an area of approximately 129 square metres, with the front/side garden being 47 square metres (total 176 square metres). The combined footprint of the two buildings, being approximately 44 square metres, is less than 50% of the rear garden alone. If this building had been constructed at a height of 2.5 metres, or was reduced to that height, planning permission would not be required and this is a material consideration in the determination of this planning application.

3. The maximum height of the building, as erected, is 0.5 metres over the 'permitted development' allowance noted above, with the eaves being 0.2 metres below this threshold. It is also worth noting that the eaves of the building would be 0.3 metres above the maximum 'permitted' fence height of 2 metres. Whilst the concerns of the neighbours in respect of the overall size and footprint are noted, the maximum height of the building is not significantly over the permitted height allowances and the impact is reduced as the pitched roof slopes away from the boundaries. The building is located at the rear of the garden and is a minimum of 12 metres from the closest house. Buildings of this height and footprint, in the forms of sheds and garages, are not uncommon in rear garden locations, which is evident from the existence of the 3 metre high flat roofed garage at number 3 Bridgemary Grove. Having regard to the building's design and location, it is not considered to have an excessive footprint or height and is considered an acceptable building in this rear garden location in compliance with Policy R/DP1 of the Gosport Borough Local Plan Review.

4. Having regard to the orientation of the properties there may be some minor shadowing of the ends of the gardens of 1 Bridgemary Grove and 4 Prideaux-Brune Avenue to the north, however, due to the height of the building, its roof form and the distance from the adjacent houses, the building does not have a harmful impact on the amenities of the adjacent occupiers, in terms of overshadowing, or outlook and as this is a single storey building, where there are no side windows, and the window to the rear faces onto an existing 1.8 metre high fence, there would be no loss of privacy. The proposal would therefore be in compliance with Policy R/DP1.

5. It was accepted by the applicant that it would be difficult to implement the brick cladding to the building and therefore the alternative now proposed is to clad the building in cedar boarding. This material is of traditional appearance and is appropriate for a garden building and is considered to be acceptable in this location. A condition requiring the cladding to be applied within 6 months is proposed to ensure that the appearance of the building is improved in this respect. With regard to the issue of water run-off, the building is set off the boundary by 0.5 metres and the area around the building is permeable soil/grass. There is no evidence of water run-off causing issues in the adjoining properties and should this become an issue it would be a matter for the applicant/owner to resolve in consultation with the neighbouring occupiers, if this can be attributed back to the building. In conclusion, the development, as proposed, would not have an unacceptable impact on the amenities of the neighbouring occupiers, or the character and appearance of the property or surrounding area and as such complies with Policy R/DP1 of the Gosport Borough Local Plan Review.

RECOMMENDATION: Grant Permission

Reason(s) for granting permission:

1. Having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the development as proposed would not have an unacceptable impact on the amenities of the neighbouring occupiers, or the visual amenities of the area and as such complies with Policy R/DP1 of the Gosport Borough Local Plan Review.

Subject to the following condition(s):-

1. The building hereby permitted shall be clad with cedar boarding, in accordance with the details received on 22.11.12, within six months of the date of this planning permission.

Reason - In the interest of visual amenity and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

ITEM NUMBER: 02.
APPLICATION NUMBER: 13/00007/FULL
APPLICANT: Mr Brendan Batt
DATE REGISTERED: 09.01.2013

ERECTION OF TWO STOREY REAR EXTENSION (as amended by plan received 08.02.13 and amplified by letter received 19.02.13)
159 Elson Road Gosport Hampshire PO12 4AB

The Site and the proposal

The application property is a two storey, end of terrace dwelling with a hipped roof located on the southern side of Elson Road. The property is constructed of brick, painted green. The rear garden is approximately 6m wide and extends in excess of 20m to the south and has an approximately 1.6m high wall on the side boundaries. To the rear of the site is the parking area and access road associated with the Gosport and District Sports and Disabled Association Club (GADSAD) with the playing fields beyond. The existing property is in a poor state of repair and currently has a two storey rear projection that extends 10.6m into the garden, with a further single storey element projecting an additional 1.7m. The two storey rear projection is 3.2m wide and has an eaves height of 5m and an overall height of 6m to the top of the pitched roof. It is set off the boundary with the adjoining property to east, number 161, by 2.9m. There are three east facing ground floor windows with three first floor windows over; the southernmost two serve bedrooms and the northernmost serves the staircase. There is also a first floor south facing window in this projection. The western side elevation does not contain any windows. Number 161 Elson Road to the east, similarly, has a two storey rear projection. This projection is 6.5m deep and is located approximately 1.9m from the boundary with the application property. There are also single storey additions to the rear of the two storey projection of number 161 to the east. At ground floor level there is a set of doors in the southern elevation of the dwelling and a kitchen window and further door and window in the western elevation of the rear projection. At first floor level there is a bedroom window in the southern elevation of the dwelling and two windows in the western elevation of the projection, one serving the staircase and the second serving a bedroom. There are no first floor windows in the rear elevation of the two storey projection. The neighbouring dwelling to the west, number 157a, is a modern two storey, semi-detached, dwelling that is set off the boundary with the application site by approximately 1m. There is a first floor bathroom window in the eastern elevation of this property.

It is proposed to erect a two storey rear extension following the demolition of the existing rear projections. The new extension would project 10.6m and would be 4.8m wide, 1.6m wider than the existing projection. It would be set off the eastern boundary with number 161 by 1m. It would have an eaves height of 5m and an overall height of 6.2m to the top of the hipped roof. It would contain three ground floor windows in the eastern elevation. Originally it was proposed to have three windows at first floor level, with the northernmost window being obscure glazed and serving a bathroom. Amended plans have been received which show changes to the internal configuration of the first floor to overcome privacy concerns raised during the public consultation period. The application now proposes to install obscure glazing to the two northernmost bathroom windows of the three, with the southernmost bedroom window containing clear glazing. There would also be a first floor bedroom window in the rear elevation and two windows and a pair of doors at ground floor level.

The plans also show internal alterations which include the incorporation of a pedestrian undercroft in the main dwelling. These works, however, do not require planning permission and are not under consideration as part of this application.

A supporting statement has been submitted by the applicant following the concerns raised during the public consultation period which provides a justification for the development and its design.

Relevant Planning History

Nil

Relevant Policies

Gosport Borough Local Plan Review, 2006:

R/DP1

General Standards of Development within the Urban Area

Consultations

Nil

Response to Public Advertisement

1 letter of objection

Issues raised:-

- loss of light
- loss of outlook
- loss of privacy
- proposal would be over prominent in the streetscene
- extension would harm the character of and appearance of the dwelling and would unbalance the row of properties
- plans do not accurately show neighbouring properties
- application is not clear whether the existing extension is to be demolished

Principal Issues

1. The application forms and plans confirm that the proposal is to demolish the existing projection and erect a replacement extension. The plans are of adequate detail and show the relationships between the properties, and, in conjunction with the Officer's site visit, are sufficient to enable the application to be determined. The main issues in this case, therefore, are the acceptability of the design of the extension and the impact on the visual amenity of the locality and on the amenities of the occupiers of the neighbouring dwellings.

2. The proposed extension has a simple design and the hipped roof reduces the appearance of the overall mass of the extension. The additional width resultant from the proposal would not constitute a significant increase over the current rear projection. Whilst the proposed extension is larger than the rear projections present on the neighbouring dwellings, it is the same depth as the existing two storey projection at the property and the existing single storey extension is not proposed to be replaced. It would remain subservient in height to the main roof and a planning condition is proposed to ensure that it is constructed using appropriate materials. Having regard to the above, the proposal would not be out of keeping with the area and would not have a harmful impact on the appearance of the dwelling or the visual amenity of the locality. The proposal is, therefore, in compliance with Policy R/DP1 of the Gosport Borough Local Plan.

3. As stated in paragraph 2 above, the depth of the proposed two storey extension is no greater than the existing rear projection and whilst the roof would be 0.2m higher than the existing roof, given the orientation of the properties, the location and scale of the extension and having regard to the removal of the single storey extension and the continued absence of windows in the western elevation, the proposed extension would not have a harmful impact on the amenities of the occupiers of number 157a to the west. With regard to number 161 to the east, the properties are south facing and have an open aspect over the playing fields of the GADSAD to the south. The application does not propose an increase in two storey depth to the rear and the proposed extension would only extend 1.6m closer to number 161 to the east. A gap of 2.8m would be retained between the opposing elevations of the two storey projections at the rear of the dwellings. Although the slight increase in the height of the extension would reduce the amount of afternoon

sun received by the occupants of number 161, the shallow, hipped roof means that any additional overshadowing resulting from the extension would be minimal. Similarly, the increase in width of the extension would not have a significant impact in terms of loss of light. The relationship between the proposed extension and the rear projection of number 161 is common to terraced dwellings of this type. The area most affected by the proposed extension is located alongside the existing rear projections of both properties and given the height and depth of the existing projections and the orientation of the properties, the development would not be overbearing or have a significantly harmful impact in terms of loss of outlook. Moreover, the extension would not harmfully affect the enjoyment of the principle garden area which is located to the rear of the dwelling. In terms of privacy, the existing rear projection contains three east facing windows at first floor level, with the southernmost existing window being in excess of 2.5m wide. The windows in the proposed extension would result in an overall net reduction in the amount of glazing in that elevation and the use of obscure glazing in the two northernmost bathroom windows. The position of the windows in the opposing elevation of number 161 is such that the proposed location of the southernmost clear glazed bedroom window would not have a harmful impact on mutual privacy given the angle between them. Whilst the windows in the side elevation of the proposed extension would be located closer to the eastern boundary, overall, the proposal would reduce the propensity to overlook the neighbouring dwelling and on balance, therefore, the proposed development would not create an unacceptable living environment for the occupiers of the neighbouring properties in terms of loss of light, outlook or privacy. As such, the proposal complies with Policy R/DP1 of the Gosport Borough Local Plan Review.

RECOMMENDATION: Grant Permission

Reason(s) for granting permission:

1. Having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the proposed development is acceptable in this location. It is acceptable in design terms and will not have a harmful impact on the amenities of the area or the occupiers of the neighbouring properties and, as such, complies with Policy R/DP1 of the Gosport Borough Local Plan Review.

Subject to the following condition(s):-

1. The development hereby permitted must be begun within a period of three years beginning with the date on which this permission is granted.

Reason - To comply with Section 91 of the Town and Country Planning Act, 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Plan A, Plan B, Plan C, Plan D, Plan E and Plan F

Reason - To ensure that the development is completed satisfactorily in all respects and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

3. Details of all external facing and roofing materials shall be submitted to, and approved by, the Local Planning Authority before works above slab level are commenced. The development shall thereafter be implemented in accordance with the approved details, unless otherwise agreed, in writing, with the local planning authority.

Reason - To ensure that the external appearance of the development is satisfactory, and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

4. The first floor windows in the eastern elevation of the extension hereby approved, outlined in red on the approved plan, Plan F, shall be obscure glazed and any part of those windows that are less than 1.7 metres above the floor of the room in which they are installed shall be non-opening. The windows shall be permanently retained as such thereafter, unless otherwise agreed, in writing, with the Local Planning Authority.

Reason - In order to protect the amenity of the occupiers of the adjoining property and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

ITEM NUMBER: 03.
APPLICATION NUMBER: 13/00004/FULL
APPLICANT: Mr Paul Stephens
DATE REGISTERED: 02.01.2013

**ERECTION OF TWO STOREY SIDE AND PART SINGLE PART TWO STOREY REAR
EXTENSIONS (as amended by plan received 18.02.2013)**
34 Carnarvon Road Gosport Hampshire PO12 3QP

The Site and the proposal

The application property is a two storey, semi-detached, dwelling located on the northern side of Carnarvon Road, near to the junction with Windsor Road. It is finished in painted pebbledash render and has a pitched, tiled, roof. The rear garden is approximately 19m deep and 7m wide. It is bounded by a 1.8m high wall and fence on the eastern boundary and a 1.2m high fence and low wall on the western boundary. There is a detached, single, garage in the north western corner of the site that fronts a rear access road. The adjoining dwelling to the east, number 32, has a 4.5m deep conservatory on the western side of the rear elevation, adjacent to the common boundary. There are two first floor windows in the rear elevation, the westernmost of which serves a bedroom. The adjacent dwelling to the west, number 36, is set back from the front of the application property by 1m and is set off the flank elevation of the application property by 2.5m. It has an original single storey rear extension on the eastern side of the rear elevation that projects 1.2m. There are two ground floor windows in the side elevation of this dwelling, one that serves a hallway, the second that serves the kitchen. There is also a pedestrian door and window in the rear elevation of the rear extension. The dwellings to the north, that front Windsor Road, are located approximately 23m away, beyond the intervening garden and access road.

It is proposed to erect extensions to the side and rear of the property. The two storey side extension would be set back from the front elevation by 3.5m and would be 1.1m wide and extend up to the western boundary. It would be 4m deep and would not project beyond the rear of the original dwelling. It would have an eaves height that matches that of the main dwelling and would be 6.8m high to the top of the pitched roof, which would be 1.2m lower than the height of the roof of the dwelling. It would contain windows in the front elevation at ground and first floor levels and would have a first floor window in the rear elevation.

The rear extension would project 3.5m beyond the rear elevation of the dwelling. This extension would cover the full width of the property, including the proposed side extension, with the two storey element being 5.8m wide and a further 1.1m wide single storey section on the western side. The two storey section would have a barn hipped roof with an eaves height 0.5m lower than that of the main dwelling. The overall height would, similarly, be 1.2m lower than the height of the roof of the main dwelling. The single storey element on the western side would have a mono-pitched roof with an eaves height of 2.6m adjacent to the boundary and an overall height of 3.4m. The rear extension would contain two sets of ground floor doors in the rear elevation and two first floor windows. There would be two windows in the roof slope of the single storey element and a window in each of the side roof slopes of the two storey extension.

It was previously proposed to extend the dwelling by the erection of a two storey side and rear extension (under Ref. K18137). The rear extension was proposed to be 5m deep and have a pitched roof with a gable end. Concern was raised regard the appropriateness of that design, however, and the application was withdrawn.

There are similar extensions in the immediate locality, notably at number 46 Carnarvon Road (approved under Ref. K14136 in 1993) and number 35 on the opposite side of Carnarvon Road (approved under Ref. K13914/1 in 2005).

An amended plan has been submitted to correct an error on the Block Plan.

Relevant Planning History

K18137 - erection of two storey side and rear extensions - withdrawn 12.12.12

Relevant Policies

Gosport Borough Local Plan Review, 2006:

R/DP1

General Standards of Development within the Urban Area

Consultations

Nil

Response to Public Advertisement

2 letters of objection

Issues raised:-

- impact on autistic occupant of number 32 Carnarvon Road
- on-going access and maintenance of guttering
- access, damage, noise and disturbance during building works
- provision of bathroom would create harmful noise disturbances
- footings may affect conservatory of number 32 Carnarvon Road
- other options to extend home ought to be considered
- submitted papers give subjective comments in favour of the application
- extension does not comply with '45 degree' guideline
- loss of view
- similar extension on number 46 Carnarvon Road has had detrimental effect on neighbours
- no access would be permitted to pebbledash extension, therefore, it would have a different finish which would be out of character
- proposal is out of character
- extensions are too large
- extensions would harmfully affect and dominate views of Carnarvon Road when observed from Windsor Road
- loss of light to kitchen of number 36 Carnarvon Road
- loss of light to conservatory and bedroom of number 32 Carnarvon Road
- side extension would be overbearing to occupants of number 36 Carnarvon Road
- garden of number 36 would be overshadowed
- loss of outlook and overbearing impact to bedroom of 32 Carnarvon Road
- loss of privacy from roof lights

Principal Issues

1. Whilst the Local Planning Authority understands that there are concerns about personal circumstances in this case, the role of the planning system is to operate in the public interest and not to protect individual circumstances. A degree of disturbance during building works is often present, however, any statutory noise or dust nuisance would be dealt with under Environmental Health legislation. Any damage to property during works or the requirement for access during the works and for on-going maintenance of the properties are private legal matters between the interested parties. The structural integrity of the properties and the internal use of the dwelling, including the conversion from a bedroom to a bathroom would require approval under the Building Regulations. The Local Planning Authority is required to determine the application on the basis of the submitted plans. The application papers are submitted to support the application, nevertheless, the application forms and plans are of adequate detail and the plans show the relationships between the properties, and, in conjunction with the site visit, are sufficient to enable this application to be determined. There is no reference to a '45 Degree' guideline within the residential design guidance within the Gosport Borough Local Plan Review and, as such, is not in itself a material planning consideration. All planning applications are considered in the context of the Local Plan and

all other material considerations, taking into account the particular characteristics of the site and the proposal. There is no right to a view in planning legislation. The main issues in this case, therefore, are the acceptability of the design of the extensions and the impact on the visual amenity of the locality and the amenities of the occupiers of the neighbouring dwellings.

2. There are other examples of similar two storey rear extensions along Carnarvon Road and, as such, this element of the development would not be out of character with the area, in principle. The rear extension would be subservient to the main dwelling and the use of a barn hipped roof and the lower overall height of the roof of the extension, in conjunction with eaves level being 0.5m below that of the existing roof, all help to reduce the visual mass of the extension. The rear extension is of comparable size to the other only example in the locality and is of appropriate scale so as not to harm the original proportions of the application property or harmfully affect the streetscene when viewed from Windsor Road. It would not be visible from Carnarvon Road. The subservient side extension would be set back from the front elevation of the application property by 3.5m and given the orientation and position of the application property and the neighbouring dwelling to the west, it would not be readily visible from public view points. A gap of approximately 1.5m would be retained between the properties which would also ensure that the erection of this extension would not result in a terracing effect. The extensions would be constructed using matching materials, which can be controlled by the imposition of an appropriate planning condition. Therefore, under the circumstances, the proposal would not have a detrimental impact on the appearance of the dwelling, or the character and visual amenity of the locality, in compliance with Policy R/DP1 of the Gosport Borough Local Plan Review.

3. The proposal has been designed so as to reduce the impact on the immediately adjacent neighbours. The extension would not project beyond the conservatory to the rear of number 32 and the barn hipped roof slopes away from the boundaries. The eaves level is 0.5m below that of the existing roof and the proposed rear extension would only project 3.5m beyond the rear elevation of the application property. Therefore, taking the above into consideration, alongside the fact that the rear elevations of these properties are north facing and, as such, light is already limited given the position of the existing dwellings, on balance, the development would not be overbearing and the resultant loss of light and outlook would not create an unacceptable living environment for the occupiers of the neighbouring dwellings and would not significantly increase the level of overshadowing that would cause algae or moss growth. Whilst the side extension would project up to the western boundary, having regard to the position of the existing dwellings, the fact that the extension only projects 1.1m beyond the side elevation of the existing application property and the affected windows in the side elevation of the neighbouring property do not serve habitable rooms, this element of the proposal would not have a harmful impact on the amenities of the occupiers of number 36 to the west in terms of loss of light or outlook.

4. The windows in the roofslope of the single storey element are of sufficient height to prevent any harmful overlooking and no windows are proposed in the side elevations of the proposed extensions. The imposition of planning conditions preventing the insertion of such windows in the future and controlling the type of windows used in the roof slope of the two storey extension would ensure the continued protection of the privacy of the occupiers of the adjacent properties. Furthermore, whilst the rear extension would project further into the garden, the windows in the rear elevation would be in such a position so as not to harmfully overlook the most private areas of the neighbouring gardens. The proposal, therefore, will not result in any harmful overlooking of any of the neighbouring dwellings. Given the orientation of and separation distances between the properties, the extensions would have no harmful impact on the occupiers of the adjacent dwellings to the north. Overall, therefore, the proposal would not have a harmful impact on the amenities of the occupiers of the neighbouring dwellings in terms of loss of light, outlook or privacy. The proposal, therefore, is acceptable and complies with Policy R/DP1 of the Gosport Borough Local Plan Review.

RECOMMENDATION: Grant Permission

Reason(s) for granting permission:

1. Having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the proposed development is acceptable in this location. It is acceptable in design terms and will not have a harmful impact on the amenities of the area or the occupiers of the neighbouring properties and, as such, complies with Policy R/DP1 of the Gosport Borough Local Plan Review.

Subject to the following condition(s):-

1. The development hereby permitted must be begun within a period of three years beginning with the date on which this permission is granted.

Reason - To comply with Section 91 of the Town and Country Planning Act, 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

PA12-146:01 and PA12-146:02 B

Reason - To ensure that the development is completed satisfactorily in all respects and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

3. The materials to be used shall match in type, colour and texture, those on the existing dwelling unless otherwise agreed, in writing, with the Local Planning Authority.

Reason - To ensure satisfactory visual relationship of the new development to the existing, and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), no additional windows shall be constructed in the east and west side elevations of the extensions hereby permitted.

Reason - In order to protect the amenity of the occupiers of the adjacent properties and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

5. No development shall commence until details of the east and west facing windows in the roofslope, outlined in red on the approved plan, reference PA12/146:02, have been submitted to and approved, in writing, by the Local Planning Authority. The works shall be carried out in accordance with the approved details thereafter.

Reason - In order to protect the amenity of the occupiers of the adjacent properties and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.