

Planning, Transport & Sustainability Division
Planning and Rights of Way Panel
Planning Application Report of the Planning and Development Manager

Application address: 228 West End Road SO18 6PN			
Proposed development: Erection of a part two storey, part single storey rear extension with Juliet Balcony.			
Application number	14/00596/FUL	Application type	FUL
Case officer	John Fanning	Public speaking time	5 minutes
Last date for determination:	10.06.2014	Ward	Harefield
Reason for Panel Referral:	Request by Ward Member	Ward Councillors	Cllr Fitzhenry Cllr Daunt Cllr Smith

Applicant: Mr and Mrs McCosh	Agent: MDT Design
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Recommendation Summary	Conditionally approve
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Community Infrastructure Levy Liable	Not applicable
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Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 186-187 of the National Planning Policy Framework (2012).

Policies - SDP1, SDP7 and SDP9 of the City of Southampton Local Plan Review (March 2006) and CS13 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

Appendix attached			
1	Development Plan Policies		
2	Planning History		

Recommendation in Full

Conditionally approve

1.0 The site and its context

- 1.1 The application site is a detached residential dwelling on West End Road. The residential dwellings are set back and screened by heavy vegetation from the main arterial West End Road and are accessed by a separate road serving the row of residential dwellings.

2.0 Proposal

- 2.1 The application proposes the replacement of an existing single storey extension with a part two storey, part single storey rear extension.
- 2.2 The two storey element protrudes 4.5m from the existing rear wall at second storey. The roof of the proposed extension matches the pitch of the existing roof but utilises a gable, rather than a hipped end.
- 2.3 The single storey element protrudes to the same depth, with a mono-pitch roof sloping down towards the boundary from the conjoined two-storey extension.

3.0 Relevant Planning Policy

- 3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (March 2006) and the City of Southampton Core Strategy (January 2010). The most relevant policies to these proposals are set out at **Appendix 1**.
- 3.2 The National Planning Policy Framework (NPPF) came into force on 27th March 2012 and replaces the previous set of national planning policy guidance notes and statements. The Council has reviewed the Core Strategy to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.

4.0 Relevant Planning History

- 4.1 A concurrent application has been submitted under 14/00597/FUL for 'Change of Use of a residential room for hairdressing business'. A determination on this application is currently pending.
- 4.2 It is noted that while the plans on this application do identify a room for this change of use, this application relates to the physical works only, with no change of use element. As such the application will be determined on the impacts of the proposed extension only.

5.0 Consultation Responses and Notification Representations

- 5.1 Following the receipt of the planning application, a publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners. At the time of writing the report **5** representations have been

received from surrounding residents (one of these letters contained no objections to this application and was primarily objecting to 14/00597/FUL). The following is a summary of the points raised:

- 5.2 • No prior advice was sought from the Council/the proposed does not adhere to Council design guidance
- 5.3 • No evidence has been provided to demonstrate that the proposal complies with the 45 degree code, as outlined in the Southampton City Council Residential Design Guide
- 5.4 • The proposal is inappropriate in scale and has a harmful impact on neighbouring amenity in terms of being overshadowing and overbearing
- 5.5 • The scheme, with particular reference to the Juliet Balcony, allows for potential overlooking of neighbouring occupiers
- 5.6 • If allowed the proposal would set an undesirable precedent, harming the overall amenity and character of the surrounding area
Note: Each application is considered on its own merits at the time of submission with reference to relevant local and national policies.
- 5.7 • The proposed development is of poor quality, lacks detail and does not consider relevant design guidance
- 5.8 • The gable end is out of character with the predominately hipped design of roof forms in the local area
- 5.9 • The proposal extends in immediate proximity to the western boundary of the site and works may damage foundations or foots/agreement under the Party Wall Act
Note: It is noted that as part of the application the applicant has signed Certificate A on the application form, stating that they have sole interest over the land to which the proposed application relates. The granting of planning permission does not overrule separate or additional legal obligations and requirements. Damage to a neighbouring property/the Party Wall Act is a separate issue between the relevant parties. The application must be determined on the basis of relevant local and national planning policies only.
- 5.10 • Concern that existing and proposed side facing windows should be obscured and this is not shown on the approved plans
- 5.11 • Proposed plans do not show the location of a kitchen extractor fan
- 5.12 • Proposed plans do not show location of a soak-away to address drainage
- 5.13 **Consultation Responses**
- 5.14 **Councillor Royston Smith** - Request that the application be heard at Panel.

6.0 Planning Consideration Key Issues

- 6.1 The key issues the application will need to be judged on are the acceptability of design in relation to the site, the host dwellings character, neighbouring amenity and the amenity the occupants of the host dwelling.
- 6.2 The site is considered to retain sufficient garden space, with a total of 240m², compared to the 90m² required under section 2.3.12-14 of the Residential Design Guide. On balance it is not considered that the proposal would significantly harm the amenity of the occupants of the host dwelling.
- 6.3 Section 2.3.1-2 of the RDG notes that extensions should be subordinate to the character of the original dwelling. The property is a detached dwelling of reasonable size. The proposal represents a significant depth of extension, with the main body protruding 4.5m from the existing two-storey rear wall. While the roof had a gable end, the ridge it set down from the main ridge line and matches the existing roof slope. Overall, it is felt that the proposal would not have a sufficiently harmful impact on the character of the host dwelling or the surrounding area to justify refusing the planning application.
- 6.4 As such the main consideration is the impact of the proposed development on the amenity of the occupiers of the neighbouring residential properties.
- 6.5 The application proposes a number of side facing windows. In order to prevent potential overlooking, a number of conditions have been recommended to control windows in the development (requiring they be obscure and non-opening 1.7m from the floor of the room they serve and restricting against the installation of any additional windows). Some objections have been raised with respect to the proposed Juliet Balcony. Considering that there is no ability to step out from this balcony, it is not considered that the proposed arrangement would have a significantly worse impact than a normal window in the same location. Overall, such windows are a typical feature of the surrounding residential environment and it is not deemed to represent any significant increase in the potential for overlooking.
- 6.6 The single storey element of the proposal is situated to the west of the site, in close proximity to the neighbouring boundary. The property to this side is set away from the boundary and has a large outbuilding set slightly further down the garden. Taking into account the set back of the two storey element from this boundary, the orientation of the dwellings and the drop down in roof height towards the boundary; it is not considered that the proposed extension would have a significantly harmful impact on the property at 226 West End Road in terms of the creation of an overbearing or overshadowing form of development.
- 6.7 The two storey element is situated over towards the eastern side of the property and will have a greater impact due to the scale of development. The host dwelling is set 2.5m off the boundary on this side, with the neighbouring property at 230 built along the boundary line. The proposed extension does represent a significant depth of two-storey development. It does not appear that the extension violates the 45 degree line (as outlined in section 2.2.11-13 of the RDG), although this is very marginal. It is noted that section 2.2.18-19 of the RDG advises that where a property benefits from significant amenity space and open outlook this reduces the potential importance of such considerations.

6.8 While the extension does represent a significant scale of development, taking into account the set back from the boundary and the circumstances of the layout and arrangement of the development and neighbouring properties, it is not considered that the proposed extension would cause sufficient harm to the amenities of neighbouring occupiers to justify refusing the application.

7.0 Summary

7.1 On balance, it is not considered that the proposal will have a significantly harmful impact on the character of the host dwelling or the amenities of the occupants of the host dwelling or neighbouring dwellings.

8.0 Conclusion

For the reasons discussed above, the application is recommended for conditional approval.

Local Government (Access to Information) Act 1985 **Documents used in the preparation of this report Background Papers**

1 (a) (b) (c) (d) 2 (b) (d) 4 (f) 6 (c) 7 (a)

JF1 for 08/07/14 PROW Panel

PLANNING CONDITIONS

01. APPROVAL CONDITION - Full Permission Timing Condition - Physical works
The development works hereby permitted shall begin not later than three years from the date on which this planning permission was granted.

REASON:

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

02. APPROVAL CONDITION - Materials to match [Performance Condition]

The materials and finishes to be used for the external walls, windows (including recesses), drainage goods and roof in the construction of the building hereby permitted shall match in all respects the type, size, colour, texture, form, composition, manufacture and finish of those on the existing building.

REASON:

To enable the Local Planning Authority to control the development in detail in the interest of the visual amenities of the locality and to endeavour to achieve a building of high visual quality and satisfactory visual relationship of the new development to the existing.

03. APPROVAL CONDITION - No other windows or doors other than approved
[Performance Condition]

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any order amending, revoking or re-enacting that Order), no windows, doors or other openings including roof windows or dormer windows other than those expressly authorised by this permission shall be inserted in the development hereby permitted without the prior written consent of the Local Planning Authority.

REASON:

To protect the amenities of the adjoining residential properties

04. APPROVAL CONDITION - Glazing panel specification [Pre-Occupation Condition]

The window in the first floor side elevation of the building hereby approved (to the rooms indicated as 'Bathroom' on Drwg No. 02 Rev A) shall be glazed in obscure glass and shall be non-opening 1.7m from the floor of the room it serves. The window as specified shall be installed before the development hereby permitted is first occupied and shall be permanently maintained in that form.

REASON:

To protect the privacy enjoyed by the occupiers of the adjoining property.

05. APPROVAL CONDITION - Hours of work for Demolition / Clearance / Construction [Performance Condition]

All works relating to the demolition, clearance and construction of the development hereby granted shall only take place between the hours of;

Monday to Friday 08:00 hours to 18:00 hours (8.00am to 6.00pm)

Saturdays 09:00 hours to 13:00 hours (9.00am to 1.00pm)

And at no time on Sundays and recognised public holidays.

Any works outside the permitted hours shall be confined to the internal preparations of the buildings without audible noise from outside the building, unless otherwise agreed in writing by the Local Planning Authority.

REASON:

To protect the amenities of the occupiers of existing nearby residential properties.

06. APPROVAL CONDITION - Approved Plans

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

REASON:

For the avoidance of doubt and in the interests of proper planning.

POLICY CONTEXT

Core Strategy - (January 2010)

CS13 Fundamentals of Design

City of Southampton Local Plan Review – (March 2006)

SDP1 Quality of Development
SDP7 Urban Design Context
SDP9 Scale, Massing & Appearance

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)
Planning Obligations (Adopted - September 2013)
Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework 2012
The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

Application 14/00596/FUL

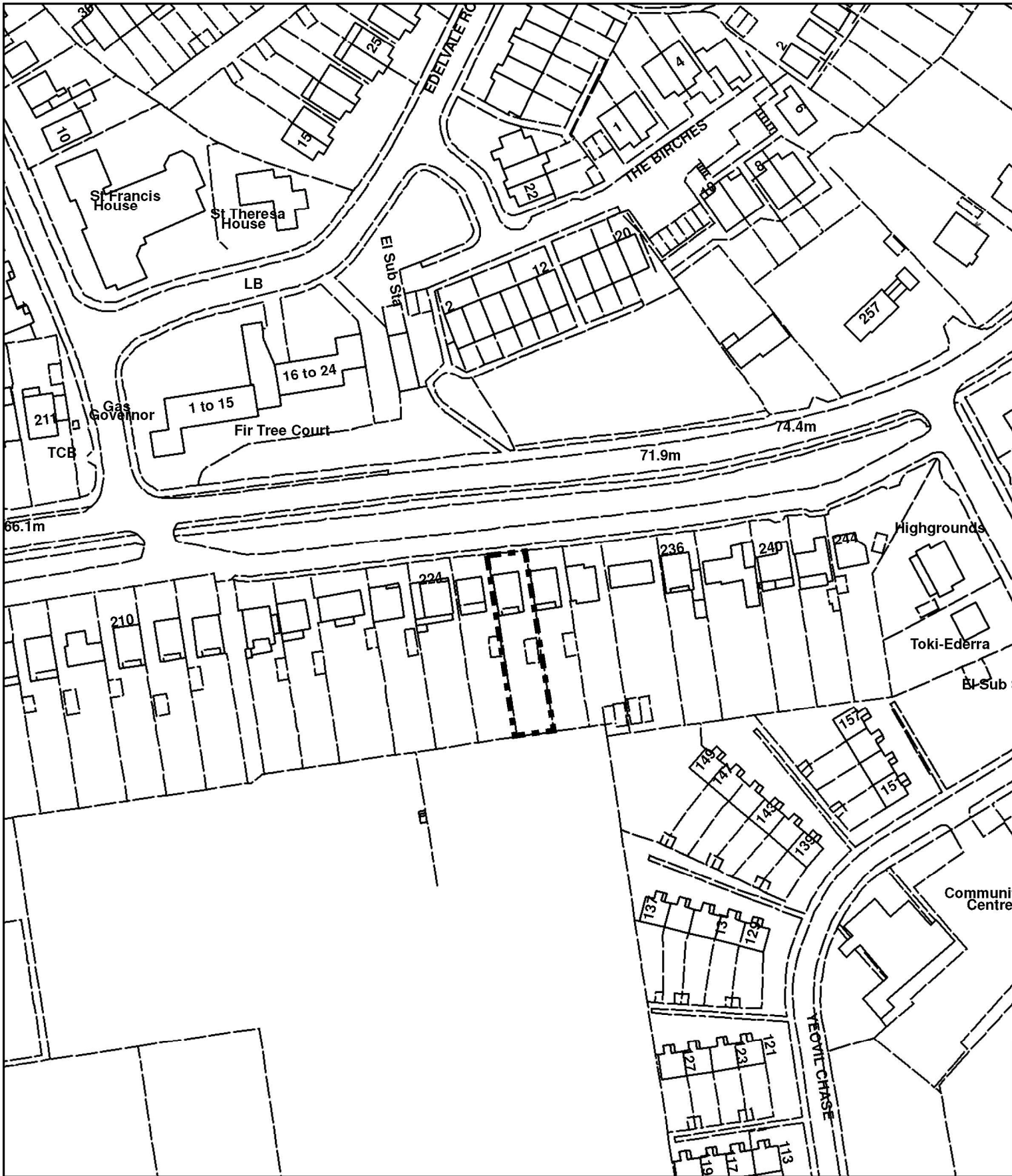
APPENDIX 2

Relevant Planning History

14/00597/FUL, Change of use of a residential room for hairdressing business.
Pending Decision.

1058/14, Dwelling and garage (Prev Ref - Plot 7)
Conditionally Approved, 22.02.1955

14/00596/FUL



Scale: 1:1,250

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