

**Planning, Transport & Sustainability Division
 Planning and Rights of Way Panel (West) 25th August 2015
 Planning Application Report of the Planning and Development Manager**

Application address: 14 Bassett Crescent West			
Proposed development: Erection of a two-storey rear extension, single storey front and side extension and carport			
Application number	15/01181/FUL	Application type	FUL
Case officer	John Fanning	Public speaking time	5 minutes
Last date for determination:	27.07.15	Ward	Bassett
Reason for Panel Referral:	Request by Ward Member	Ward Councillors	Cllr B Harris Cllr L Harris Cllr Hannides
Referred by :	Cllr L Harris	Reason:	No objections from local residents and not out of character

Applicant: Richard Ojany	Agent: Mr Mike Free
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Recommendation Summary	Refuse
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Community Infrastructure Levy Liable	Not applicable
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Reason for refusal - Unneighbourly and impact on amenity
 The proposed development results in an internal habitable room having neither adequate outlook or natural light and which represents a poor layout and living environment for occupiers of the property. Furthermore the outlook that is available from the contrived window solution would look directly towards the external private amenity space of the adjacent dwelling at 16 Bassett Crescent West, representing an unneighbourly form of development. Therefore the development is contrary to saved policies SPD1(i), SDP7(i) and SDP9(v) of the adopted City of Southampton Local Plan Review (March 2006), CS13 of the adopted Local Development Framework Core Strategy Development Plan Document (January 2010) and the provisions of the Residential Design Guide (September 2006) with particular reference to section 2.2.1-2.

Appendix attached			
1	Development Plan Policies	2	Relevant Planning History

Recommendation in Full

Refuse

1.0 The site and its context

- 1.1 The application site is occupied by a detached residential dwelling in an area typified by large detached residential dwellings.
- 1.2 The surrounding area has a mix of different building form and styles, though the typical layout of detached dwellings situated with large garden plots characterises the surrounding street scene.

2.0 Proposal

- 2.1 The application proposes a number of modifications to the original dwelling under this single application. A single-storey element is proposed to the front, stretching the full width of the building. A single storey side extension is also proposed, replacing an existing structure.
- 2.2 In addition, a two-storey rear extension is proposed, also stretching the full width of the property.

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 (as amended 2015) and the City of Southampton Core Strategy (as amended 2015). 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 previous application (identical with the exception of a first floor room previously labelled as a bedroom now being labelled as a gym, with an otherwise identical floor layout and built form) was refused under planning application reference 15/00206/FUL on 22.04.2015. The previous reason for refusal is outlined in **Appendix 2**.

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 **6** representations have been received from surrounding residents.

5.2 The 6 letters received were from a total of 4 different properties; 5 of the letters were submitted by the applicant and consisted of a standard pro-forma letter template and contained no comment on the merits of the application. One resident submitted an additional letter raising a number of points. The following is a summary of the points raised:

5.3 Pro-forma circulated letter (5 letters from 4 addresses) comment:
Request for application to be heard at Panel.

5.4 Individual letter (from neighbour who also signed one of the letters above) comment:

Broad support for aesthetic impact of proposal. Highlight trees within application site. Raise concern regarding impacts of development on land instability of neighbouring occupiers. With particular reference to single storey side element of proposal, concern about proximity to boundary and resulting impacts of construction works on footings, electrical cabling and drains. Development should not overhang boundary.

Response:

These issues would primarily be addressed under building regulations. Any damage caused as part of building works within the application site would be a civil issue between the relevant parties. The applicant has signed Certificate A stating that they do not intend to develop over any land which another party has an interest in.

5.5 Cllr L Harris Comment:

Given previous refusal requested referral to Panel. No objection to proposal given lack of objection from neighbouring properties and did not consider the proposal to be out of character.

5.6 Consultation Responses

5.7 **Trees** – It is not considered the proposed construction is likely to have an impact on protected trees, subject to the imposition of suitable conditions requiring safeguarding of trees during construction and restricting the storage of materials within the tree canopy.

6.0 Planning Consideration Key Issues

6.1 The application proposes an extension to an existing residential dwelling. The proposal would not represent a change of use of the site and would retain the property as a family dwelling in an area typified by such residential uses. As such the main considerations will be the specific acceptability of the design in relation to the site, the character of the host dwelling, neighbouring amenity and the amenity of the occupants of the host dwelling.

6.2 Front extension

6.2.1 The application site has an existing single-storey garage with adjacent car port protruding to the front of the property. A number of nearby properties have similar protruding single-storey front elements although the application site is somewhat separated from the neighbouring properties to the north by heavily vegetated boundary treatments.

6.2.2 The application proposes a full width single storey front extension as habitable accommodation, an increased car port and larger dual pitch roof form. The neighbouring property to the south is set significantly forward of the application site, mitigating the impact of the forward projection of the extension in terms of the context of the surrounding street scene. Given the existing layout and design of properties in the surrounding area it is not considered that the proposed alteration would have a harmful impact in terms of the character of the host dwelling.

6.3 Side extension

6.3.1 The single storey side extension is judged to be relatively minor in scale and is broadly considered to be similar in terms of its impacts when compared to the existing single storey side extension.

6.4 Rear extension

6.4.1 The two-storey is very sizable, particularly taking into account the existing layout of properties, with the property to the south at number 12 already set significantly forward of the property in the application site. The current relationship between these properties means that the existing house already protrudes across the 45 degree line from the neighbouring occupier. The impact of the two-storey element is somewhat mitigated due to the fact that the application site is positioned to the north of the property at number 12, reducing concerns in terms of the creation of an overshadowing form of development. In addition, the garden of the neighbouring property is reasonably large, somewhat mitigating concerns in terms of the creation of an overbearing form of development. Given that the existing depth of projection is already so significantly beyond the 45 degree line on balance it is not felt that the projection of the additional depth proposed would result in substantial additional harm when compared to the existing situation.

6.4.2 As shown in Plan 13 the proposed extension does not cut across a 45 degree line drawn from the nearest habitable room windows of number 16. However, Plan 13 does highlight that the proposed extension results in the removal of a rear facing window serving one of the first floor bedrooms.

6.4.3 It is proposed to replace this window with a protruding bay window at first floor level. This window would primarily look out into the flank wall of the neighbouring building set 2.5m from the window. Due to its positioning within the room the remaining outlook would look directly into the neighbouring garden and only oblique views into the application site itself. While a condition could be imposed requiring that this window be obscured to reduce overlooking this would significantly reduce the usability and outlook that this window provides to the room. Furthermore, the window would rely on the neighbouring site for daylight which is poor planning since it can prejudice sites from development in the future. On this basis it is not considered that such a condition would be reasonable. As such it is considered that the proposed window would be harmful to the amenities of the host and neighbouring occupiers in terms of outlook and overlooking respectively.

6.4.4 Notwithstanding that this room has been relabelled as 'Gym' rather than as a bedroom under the previous refused application, it is considered that the room remains a habitable room and the harmful impacts identified in the previous

reason for refusal remain.

7.0 Summary

7.1 The application proposes a significant degree of extension to the existing dwelling to the front, side and rear. The resulting design and layout has a harmful impact on the amenities of both occupants of the host dwelling and the amenities of neighbouring occupiers.

8.0 Conclusion

8.1 For the reasons discussed above, the application is recommended for refusal.

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), 7(a), 8(a)(e), 9(b)

JF1 for 25/08/15 PROW Panel

Reason for refusal - Unneighbourly and impact on amenity

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POLICY CONTEXT

Core Strategy - (as amended 2015)

CS13 Fundamentals of Design

City of Southampton Local Plan Review – (as amended 2015)

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

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)

Other Relevant Guidance

The National Planning Policy Framework (2012)

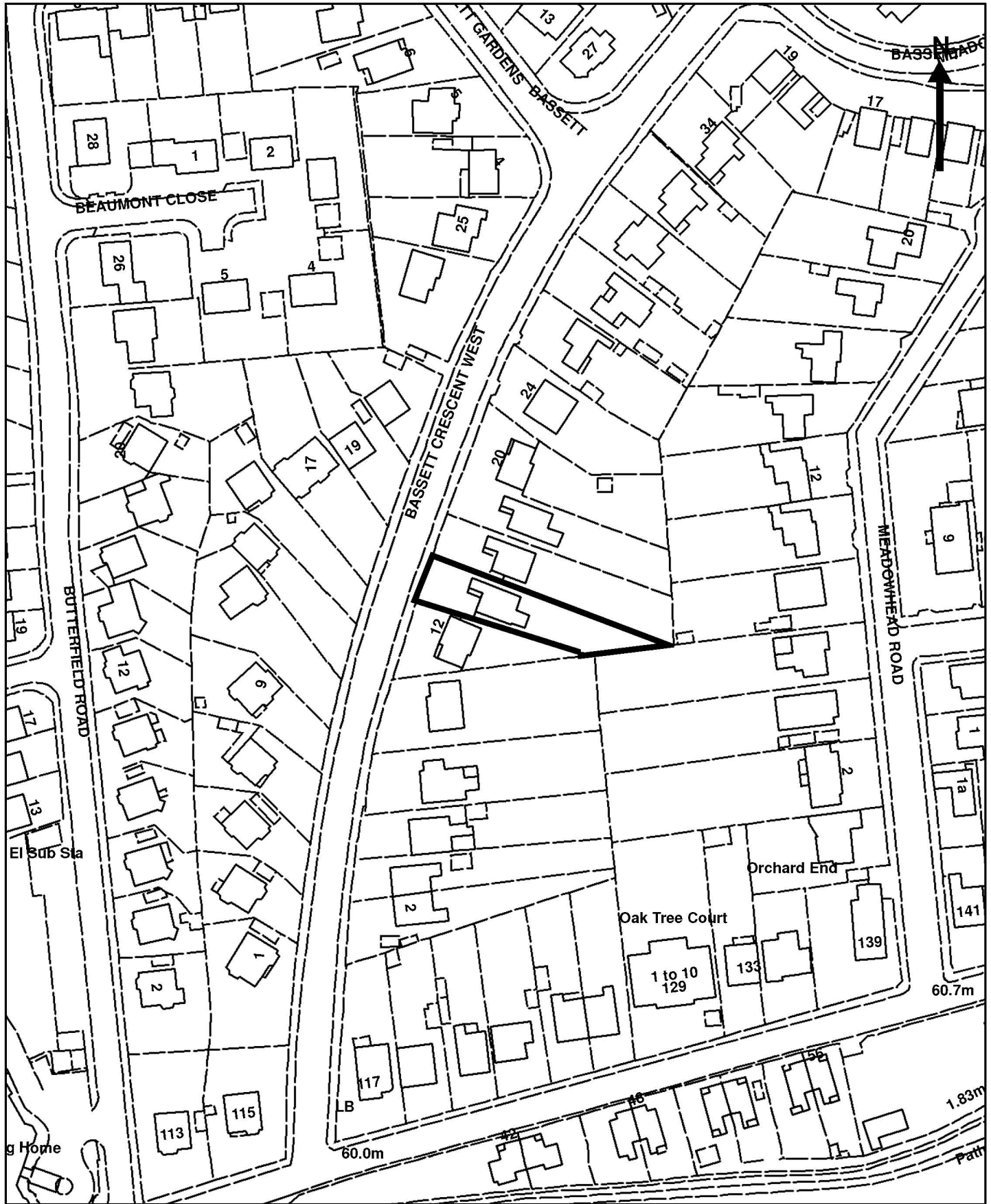
The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

Relevant Planning History

15/00206/FUL, Erection of replacement single storey front and side extensions and a two storey rear extension following demolition works
Refused, 22.04.2015

Reason for refusal - Unneighbourly and impact on amenity

The proposed development results in an internal habitable room having neither adequate outlook or natural light and which represents a poor layout and living environment for occupiers of the property. Furthermore the outlook that is available from the contrived window solution would look directly towards the external private amenity space of the adjacent dwelling at 16 Bassett Crescent West, representing an unneighbourly form of development. Therefore the development is contrary to saved policies SPD1(i), SDP7(i) and SDP9(v) of the adopted City of Southampton Local Plan Review (March 2006), CS13 of the adopted Local Development Framework Core Strategy Development Plan Document (January 2010) and the provisions of the Residential Design Guide (September 2006) with particular reference to section 2.2.1-2.



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