

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

<b>Application address:</b> 172 Bassett Green Road			
<b>Proposed development:</b> Erection of detached garage (part retrospective)			
<b>Application number</b>	15/01184/FUL	<b>Application type</b>	FUL
<b>Case officer</b>	Anna Coombes	<b>Public speaking time</b>	5 minutes
<b>Last date for determination:</b>	28.07.2015	<b>Ward</b>	Bassett
<b>Reason for Panel Referral:</b>	Five letters of objection have been received	<b>Ward Councillors</b>	Cllr B Harris Cllr L Harris Cllr Hannides

<b>Applicant:</b> Mr and Mrs Heer	<b>Agent:</b> Sanders Design Services Ltd
-----------------------------------	---

<b>Recommendation Summary</b>	<b>Conditionally Approve</b>
-------------------------------	------------------------------

<b>Community Infrastructure Levy Liable</b>	<b>No</b>
---	-----------

**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. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and 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, SPD4, SDP5, SDP7, SDP9 and SDP16 of the City of Southampton Local Plan Review (as amended 2015) and CS13 and CS19 of the Local Development Framework Core Strategy Development Plan Document (as amended 2015) as supported by the adopted Residential Design Guide SPD (2006).

<b>Appendix attached</b>			
1	Development Plan Policies	2	14/00840/FUL - Decision Notice

<b>Recommendation Summary</b>	<b>Conditionally Approve</b>
-------------------------------	------------------------------

## **1.0 Background**

- 1.1 This site has been the subject of two recent planning applications concerning extensions to the main dwelling and a detached garage to the rear of the site. The first (13/01938/FUL - Part single storey/part two storey side and rear extensions and detached garage at rear) was refused on 31/01/2014 due to concerns over the layout, scale and massing of the extensions to the main dwelling. The second application (14/00840/FUL - Single storey rear extension two storey side and rear extension and detached garage (resubmission)) was considered to address the reasons for the previous refusal and was granted conditional approval under delegated powers on 10/07/2014. The Planning Officer assessing the applications above was satisfied that the scale and location of the detached garage would not cause harm to the character of the local area, due to the size of the surrounding rear garden. The nature of the use of the garage was also secured by a condition applied to the consent, which limited its use to domestic purposes only and prevented its use as additional living accommodation.
- 1.2 Since the conditional approval in July 2014 the detached garage has been built, but there have been changes from the approved plans in the form of two additional roof lights to the south-western end of the roof and a change in the position of the pedestrian and vehicular doors along the south-eastern elevation, which have swapped ends. These changes were the subject of enforcement investigation in May 2015. The Council's Enforcement Officer visited the application site and advised the applicant to cease works and submit a retrospective planning application to attempt to regularise these changes.

## **2.0 The site and its context**

- 2.1 This application site contains a two-storey detached dwelling in a large spacious plot, with vehicular access from Bassett Green Close to the rear. The surrounding properties fronting Bassett Green Road are mainly two-storey detached dwellings grouped into similar styles, with large rear gardens and a spacious gap to the side boundaries. The properties to the rear, in Bassett Green Close, are mainly characterised by modest sized detached bungalows, at a lower level than the application site, but which are separated from the application site by a road, bounded either side by footpaths and small grass verges.

## **3.0 Proposal**

- 3.1 The proposal seeks to regularise a breach in planning control of previous planning consent 14/00840/FUL, which concerns alterations to the detached garage at the rear of the application site; namely the addition of two roof lights to the south-western end of the roof, nearest Bassett Green Close, and the swapped positions of the one x pedestrian and two x vehicular doors along the south-eastern elevation. The small window previously approved on the south-eastern elevation has been omitted, but the window on the north-eastern elevation, facing the main dwelling, remains the same as previously approved. The size and location of the detached garage and the access to Bassett Green Close also remain the same as previously approved.

#### **4.0 Relevant Planning Policy**

4.1 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 in **Appendix 1**.

4.3 The National Planning Policy Framework (NPPF) came into force on 27<sup>th</sup> 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.

#### **5.0 Relevant Planning History**

5.1 A summary of the relevant planning history is set out in **Appendix 2** of this report. Of particular relevance to this application is the approval, last year of a single-storey rear extension, two-storey side and rear extension and detached garage (application 14/00840/FUL). The decision notice for this application is also included in **Appendix 2** and of relevance to this application are the following conditions:

APPROVAL CONDITION 03 - 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.

APPROVAL CONDITION 05 - Use of garage - domestic ancillary use [Performance Condition]

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 the garage hereby approved shall be made available and used at all times for the parking of domestic vehicles related to the residential use of the dwelling house and associated ancillary storage relating and incidental to the enjoyment of the occupation of the dwelling house. At no time shall the garage be used for the parking of commercial vehicles or used for any trade, business, manufacturing or industrial purposes whatsoever and shall not be incorporated into the house as part of the domestic living accommodation.

Reason:

To ensure that sufficient off-street car parking is available in the interests of highway safety and to protect residential amenity.

## **6.0 Consultation Responses and Notification Representations**

6.1 Following the receipt of the planning application, a publicity exercise in line with department procedures was undertaken which involved notifying adjoining and nearby landowners. At the time of writing the report **16** individual representations have been received from surrounding residents including one from the North East Bassett Residents Association (NEBRA). It is worth noting that 11 of these representations were copies of template letters with only the names and addresses changed, meaning that there were only 5 unique letters of representation. The following is a summary of the planning related points raised:

### **6.2 Increased parking and traffic problems on Bassett Green Close.**

#### Response

The detached garage and associated driveway actually provide an increase in parking spaces available within the application site from those available previously. It is understood that there have been parking and traffic problems during the construction of this development, but this is considered to be short term and some disruption is to be expected when any construction work is undertaken. Furthermore, the Council's Highways officers have not raised objections to this, or the previous application.

### **6.3 The new arrangement of windows and doors results in a loss of privacy to neighbouring properties.**

#### Response

The two newly inserted roof lights are located towards the ridge line, approximately 3 metres above floor level. As such, it is not considered that these would cause an increase in overlooking, as they are located above eye level. The fact that the pedestrian door to the detached garage has moved closer to the neighbouring properties along Bassett Green Close is not considered to increase the chances of the occupier overlooking these neighbouring properties, any more than the previously approved proposal of having the vehicular doors in this location. There are no windows on the rear elevation directly facing Bassett Green Close, or on the side elevations facing neighbouring properties.

### **6.4 Increased noise impact resulting from the workshop being located nearer to Bassett Green Close.**

#### Response

The potential noise generated by domestic use of the detached garage would not be out of character for a rear garden location. The use of the detached garage can be controlled by conditions applied to the planning consent. If consent for this application is granted, and the applicant breaches this condition by using the garage as additional accommodation, then the Council's Enforcement Team have powers to control this. It is also considered that the current separation distances, and the fact that the road runs between neighbouring properties on Bassett Green Close and the detached garage, prevent any harmful impact.

### **6.5 The garage could be used as additional accommodation.**

#### Response

The use of the detached garage can be controlled by conditions applied to the planning consent. If consent for this application is granted, and the applicant breaches this condition by using the garage as additional accommodation, then the Council's Enforcement Team have powers to control this.

## 6.6 **Visual impact of the detached garage.**

### Response

The visual impact of the detached garage was considered under previous planning applications 13/01938/FUL and 14/00840/FUL and was not considered to be harmful to the character of the property, or of the local area.

## 6.7 **The applicant's construction team continued to work when they were advised to cease works.**

### Response

Works completed after the applicant was advised to cease works were done at the applicant's own risk. A retrospective planning application to regularise the breaches in planning control was submitted as requested by the Council's Enforcement Officer.

## 6.8 **Consultation Responses**

6.9 **SCC Highways** – The proposed changes to the original consented scheme make no material difference between the two designs in highway terms, therefore there are no highway objections.

## 7.0 **Planning Consideration Key Issues**

7.1 As the principle of development for this detached garage has already been established under previous planning consent 14/00840/FUL, the key issues for consideration in the determination of this retrospective planning application are:

- Design and amenity
- Highway safety

### 7.2 Design and Amenity

7.2.1 The proposed changes to the previously approved detached garage are considered to have a minimal visual impact, as they mainly concern a re-positioning of doors that have been previously approved. The new roof lights to the south-western end of the roof will be visible from Bassett Green Close, but they are not considered to cause harm to the character of the property, or the local area.

7.2.2 The additional roof lights proposed on the detached garage are not considered to give rise to additional overlooking or loss of privacy, due to the separation distance and orientation in relation to neighbouring properties. The use of the garage was controlled to domestic use only under the previous planning consent, and it would be recommended to re-apply this condition to the current application, if consent is granted. It is considered that the potential noise generated by domestic use of the garage would not be out of character for the area, as there are surrounding rear gardens with other outbuildings and it is a reasonable assumption that these could also be used as domestic workshops without the need for planning permission. In terms of the neighbouring properties to the rear, along Bassett Green Close, it is considered that the current separation distances, and the fact that the road runs between these neighbouring properties and the detached garage, prevent any harmful impact.

7.2.3 With respect to the amenities of the occupiers of the main dwelling, there is ample rear garden remaining and there are sufficient parking spaces provided within the proposed garage and driveway at the rear of the property.

### 7.3 Highway safety

7.3.1 Highway Officers have reviewed this scheme, both under the previously approved application 14/00840/FUL and this current, retrospective application. On both occasions they have returned a comment of no objections. In light of this, it is considered that the proposed access and driveway to the rear of the application site is acceptable.

### 8.0 Summary

8.1 Officers are satisfied that the repositioning of the doors on the south-eastern elevation and the introduction of new windows to the roof do not result in a loss of privacy for neighbouring properties, and that the nature of the use of the garage can be controlled by condition, therefore limiting the potential noise and traffic impacts for neighbouring properties.

### 9.0 Conclusion

9.1 As such, the application is recommended for approval subject to the conditions set out below.

### 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)(qq), 6(c)

#### **AC for 11/08/2015 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 - 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.

**05. APPROVAL CONDITION - Use of garage - domestic ancillary use [Performance Condition]**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 the garage hereby approved shall be made available and used at all times for the parking of domestic vehicles related to the residential use of the dwelling house and associated ancillary storage relating and incidental to the enjoyment of the occupation of the dwelling house. At no time shall the garage be used for the parking of commercial vehicles or used for any trade, business, manufacturing or industrial purposes whatsoever and shall not be incorporated into the house as part of the domestic living accommodation.

Reason:

To ensure that sufficient off-street car parking is available in the interests of highway safety and to protect residential amenity.

**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 - (as amended 2015)

CS13	Fundamentals of Design
CS19	Car & Cycle Parking

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

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP7	Urban Design Context
SDP9	Scale, Massing & Appearance
SDP16	Noise

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)  
Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework (2012)



14/00840/FUL Conditionally Approved 10.07.2014  
Single storey rear extension two storey side and rear extension and detached garage (resubmission). (**See notice below**).

13/01938/FUL Refused 31.01.2014  
Part single storey/part two storey side and rear extensions and detached garage at rear.  
Reason for refusal:  
The layout, scale and massing of the proposed front and rear extensions in terms of the width, forward and rear projection, and taller ridge level of the front gable would be a disproportionate and obtrusive addition to the appearance and character of the original dwelling. Furthermore, the extensions would erode the spacious feel and characteristic visual gaps to the sides of the property and, therefore, adversely harm the established character of the local area. As such the development will have an unacceptable impact on visual amenity.

12/01678/FUL Refused 19.12.2012  
Formation of a vehicular access with block paving to allow for car parking at the front.

1563/W18 Conditionally Approved  
18.12.1979  
Erection of single storey side extension.

1061/28 Permitted 12.04.1955  
Erection of house and garage.

**Decision Notice for application no 14/00840/FUL**

14/00840/FUL/5162



**DETERMINATION OF APPLICATION**

**TOWN AND COUNTRY PLANNING ACT 1990**

**Town and Country Planning  
(Development Management Procedure) (England) Order 2010**

Sanders Design Services Ltd - FAO Mr Neil Sanders  
95 Cedar Road  
Hythe  
Southampton  
SO45 3PX

In pursuance of its powers under the above Act and Regulations, Southampton City Council, as the Local Planning Authority, hereby gives notice that the application described below has been determined. The decision is:

**FULL APPLICATION - CONDITIONAL APPROVAL**

**Proposal:** Single storey rear extension two storey side and rear extension and detached garage (resubmission)

**Site Address:** 172 Bassett Green Road Southampton SO16 3LW

**Application No:** 14/00840/FUL

Subject to the following 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 - 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.

**05.APPROVAL CONDITION - Use of garage - domestic ancillary use [Performance Condition]**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 the garage hereby approved shall be made available and used at all times for the parking of domestic vehicles related to the residential use of the dwelling house and associated ancillary storage relating and incidental to the enjoyment of the occupation of the dwelling house. At no time shall the garage be used for the parking of commercial vehicles or used for any trade, business, manufacturing or industrial purposes whatsoever and shall not be incorporated into the house as part of the domestic living accommodation.

**Reason:**

To ensure that sufficient off-street car parking is available in the interests of highway safety and to protect residential amenity.

**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.

**Reason for granting Planning 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).

**Note to Applicant - Community Infrastructure Liability (Approval)**

You are advised that the development appears liable to pay the Community Infrastructure Levy (CIL). Please ensure that you assume CIL liability prior to the commencement of the development (including any demolition works) otherwise a number of consequences could arise. For further information please refer to the CIL pages on the Council's website at: <http://www.southampton.gov.uk/s-environment/policy/community-infrastructure-levy-guidance.aspx> or contact the Council's CIL Officer.



**Chris Lyons**  
**Planning & Development Manager**

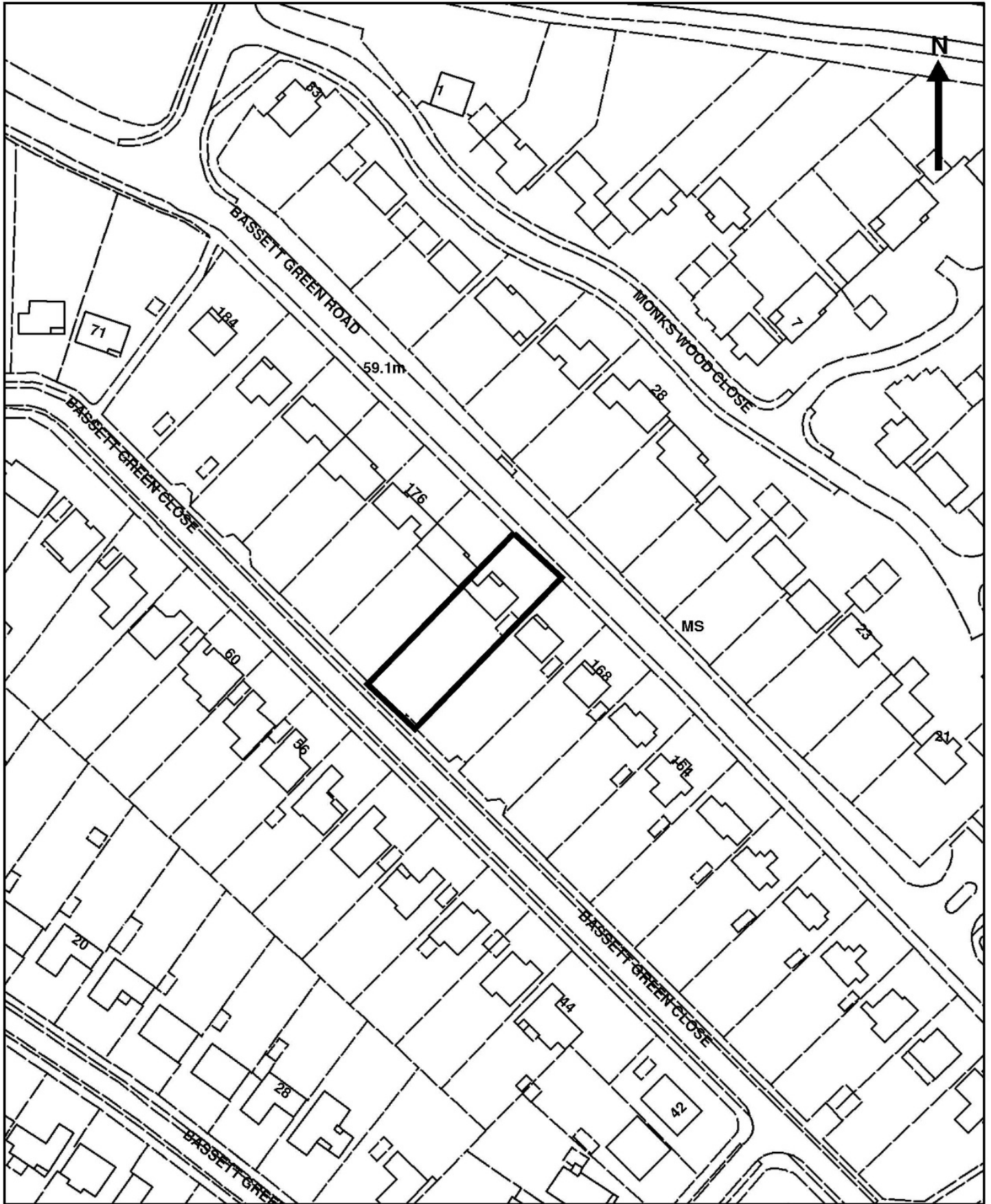
10 July 2014

If you have any further enquiries please contact:  
**Stuart Brooks**

**IMPORTANT NOTE TO APPLICANT**

This decision has been made in accordance with the submitted application details and supporting documents and the development should be implemented in respect of the following plans and drawings.

<b>Drawing No:</b>	<b>Version:</b>	<b>Description:</b>	<b>Date Received:</b>	<b>Status:</b>
HEER SHT 4 REVISION X		General Plan	20.05.2014	Approved
HEER SHT 3 REVISION A		General Plan	30.06.2014	Approved
HEER SHT 2 REV A		General Plan	30.06.2014	Approved



Scale: 1:1,250

©Crown copyright and database rights 2014 Ordnance Survey 100019679

