

**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: 51 Garfield Road			
Proposed development: Retrospective application for the retention of a single storey outbuilding and boundary wall.			
Application number	15/01094/FUL	Application type	FUL
Case officer	Kieran Amery	Public speaking time	5 minutes
Last date for determination:	21.01.2015	Ward	Peartree
Reason for Panel Referral:	Request by Ward Member and five letters of objection have been received	Ward Councillors	Cllr Paul Lewzey Cllr Alex Houghton Cllr Eamonn Keogh
Referred by:	Cllr Lewzey	Reason:	Impact on character and amenity

Applicant: Mr A Kooner	Agent: Mr Carl Patrick
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Recommendation Summary	Conditionally approve
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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. The outbuilding and boundary wall are not considered to have a significant impact on neighbouring amenity. The visual impact of the development has been considered and is not judged to have sufficient weight to justify a refusal of the application, and conditions have been applied in order to satisfy that the rear and sides of the outbuilding and the boundary wall be finished in a suitable manner to mitigate the visual impact of the development. 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 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 (as amended 2015) and CS13 of the Local Development Framework Core Strategy Development Plan Document (as amended 2015).

Appendix attached	
1	Development Plan Policies

Recommendation in Full	Conditionally approve
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1.0 The site and its context

1.1 The site is located within the curtilage of a detached, two-storey, family dwelling house. The contour of the land creates significant drops in level meaning that the site is elevated above properties to the rear and is lower than properties to the east. The surrounding area is predominantly residential and has a suburban character.

2.0 Proposal

2.1 The proposal is for the retention of a single-storey outbuilding which would have a maximum height of 2.5m, a maximum depth of 4m and a maximum width of 8.7m (filling the width of the garden). The drop in land level towards the rear of the garden means that the building is approximately 3.5m tall at the rear. The outbuilding, subject of this application, is located at the rear of the garden.

2.2 The outbuilding is constructed using red brick at the front elevation, facing the dwelling house, with breezeblock side and rear elevations, proposed to be finished with a cream-coloured render or masonry paint. It would have a flat felt roof.

2.3 The application also proposes the retention of a breezeblock boundary wall on the eastern boundary of the property, bordering properties no. 55 and 53 Garfield Road and extending beyond the front elevation of the dwelling house up to the boundary with the street itself. The height of the wall varies, with the ground level, between 2 metres at the frontage to 2.5 metres at the rear of the site.

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.

3.3 Of particular relevance to the determination of this application are saved Local Plan policies SDP1, SDP7 and SDP9, which protect residential amenity and require context-sensitive design that safeguards the quality of Southampton’s built environment.

4.0 Relevant Planning History

4.1 There are no recent or relevant planning applications relating to the application site. The application has been submitted following Planning Enforcement

investigations which concluded planning permission was required for the structure by reason of some changes to the natural land levels along the western site boundary.

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, five from surrounding residents and one from Councillor Eamonn Keogh. The application was also referred to panel by Councillor Paul Lewzey. The following is a summary of the material considerations raised:

5.1.1 Comment

The outbuilding has an oppressive and dominant appearance when viewed from the rear gardens of no.240 and no.336 Bitterne Road West.

Response

The outbuilding, when viewed from the rear, has a height of 3.5m. Its visual impact is currently exacerbated by a lack of finish or render on the sides and rear elevation leaving bare breezeblock walls. A condition is recommended to ensure that a suitable pale render is applied to these elevations in order to mitigate the visual impact. The development is also partially screened from no.240 Bitterne Road West by cypress trees in the rear garden of the neighbouring property and the separation of the structure to the neighbours also assists in mitigating its impact.

5.1.2 Comment

The outbuilding is not in-keeping with the residential domestic garden environment.

Response

The structure, despite its perceived height as viewed from the rear, is of a typical form for an outbuilding in a residential garden. A condition is recommended to ensure that a suitable pale render is applied to these elevations in order to mitigate the visual impact of the building. It should be noted that there are a number of sheds and outbuildings in the neighbouring gardens, which vary in scale and appearance. A substantial rear garden, of over 16 metres in depth, is retained and ensures the site does not appear over-developed.

5.1.3 Comment

The development has resulted in the loss of trees.

Response

The trees removed to accommodate the outbuilding were not subject to a Tree Preservation Order (TPO) and, as such, did not require consent to be removed. The boundary wall is built up to a TPO protected Mana Ash in the front garden of no.53 Garfield road and inspection on site has confirmed that the tree has had several branches removed. It is, however, unclear whether or not this was done during the construction of the boundary wall. The Council's Tree Team are investigating this and a verbal update on this matter will be provided at the Panel meeting.

5.1.4 Comment

The materials used to construct the outbuilding are of a poor standard and give the building a poor appearance.

Response

It is agreed that the current appearance of the structure and wall is not acceptable and a condition is, therefore, recommended to secure a rendered finish to the development within three months of the date of the decision.

5.1.5 Comment

The outbuilding is overbearing and causes a loss of light.

Response

Whilst the outbuilding is a sizeable structure, its impact on the neighbouring occupiers is mitigated somewhat by the generally well-spaced character of the area, which provides good separation between neighbouring dwellings and the structure and prevents undue enclosure to neighbouring gardens. It is considered that the suggested rendered finished will significantly improve the appearance of the structure when viewed from neighbouring properties. Furthermore, having regard to the height of the structure and the size of the neighbouring gardens, it would not result in harmful over-shadowing.

6.0 Planning Consideration Key Issues

6.1 The key issues for consideration in the determination of this planning application are:

- (i) Impact on residential amenity; and
- (ii) Impact on the character of the area.

6.2 (i) Impact on residential amenity

6.2.1 The boundary wall is 05.m above what would be normally be allowed under permitted development. Moreover, the level of the land at the eastern boundary means that a wall of this height is required to allow for privacy and security of the application property, since the properties to the east of the site are positioned at a significantly higher level than the application site. This change in levels also ensures that the wall would not have a significant impact on the gardens that directly adjoin it.

6.2.3 Turning to the outbuilding; given its position; single-storey height and; separation to the neighbouring dwellings (16 metres to 240 Bittern Road West), the structure would not have a significant impact on the neighbouring dwellings themselves. The key issue for consideration is, therefore, the impact of the structure on the adjoining gardens.

6.2.4 The structure is most visually prominent when viewed from the rear garden of no.240 Bitterne Road West. Here the structure is partially screened at the base by a close panel fence and partially screened again to the west by tall cypress trees. These trees are in the control of the neighbouring occupiers and, as such, do mitigate the impact of the structure. Moreover, the garden to this property is fairly generous in size and benefits from outlook in a number of directions. The recommended rendered finish to the structure would significantly enhance its appearance and reduce the over-bearing effect of the structure. On balance, this

relationship is, therefore, considered to be acceptable.

- 6.2.5 As viewed from the rear of no.240A Bitterne Road West, it would appear that a majority of the outbuilding is screened by high vegetation leaving only the north eastern corner of the structure visible. Given that the structure is located at an angle to this property, the impact contributed by the outbuilding is not considered to be significantly harmful. Similarly, only the north-western corner of the building would be visible from no. 238 Bitterne Road West and as such, there is not considered to be an impact on the amenities of this property.
- 6.2.6 From no.49 Garfield Road, only the western side elevation of the outbuilding is visible. The elevation is only just visible from the rear of the garden as it is screened from the dwelling house by a greenhouse and by a laurel hedge on the property boundary. Where the structure is visible it is visually prominent but contributes no significant overshadowing and the overbearing impact is limited to the far north eastern corner of the garden. As such, the relationship with the neighbour to the west is considered to be acceptable. The change of levels between the site and the neighbours to the east ensures that the structure would have a negligible impact of the occupiers of these properties.
- 6.2.7 It is, therefore, considered that the physical impact of the structure on the neighbouring dwellings and gardens is acceptable.

6.3 Impact on the character of the area

- 6.3.1 The boundary wall is constructed out of breezeblocks, although will be finished with a pale render to match the main house. The main visual impact of the wall is where it protrudes from the front elevation of the house to the edge of the curtilage at the front. High, breeze block boundary treatment to the frontages of dwellings would not normally be considered acceptable. However, the impact of the boundary treatment is limited by its positioning, perpendicular to the street, and the TPO tree to the east which provides some screening. The wall replaced existing high close boarded fencing at this point and it is noted that, due to the change in levels in the area, it is not unusual for taller walls and fences to be positioned on the street frontages. As such, it is considered that the suggested rendered finish would result in a more domestic character that would mitigate the harm to the appearance of the area.
- 6.3.2 Similarly, the outbuilding is currently lacking a finish to the rear and side elevations leaving bare breezeblock walls. This gives the structure a poor visual appearance which is out of character for a residential garden locality. Recommended condition 1 below, will secure a render finish to match the main house in order to mitigate the visual impact and help integrate the structure into the local area. The flat roof design reduces the impact of the addition and, as it is not readily visible from public vantage points, would not have a significant impact on the character of the area.

7.0 Summary

- 7.1 In summary, the outbuilding and boundary wall do not have result in significant harm to the character of the area. The impact on neighbouring amenity is limited to a visual impact restricted to the rear areas of neighbouring gardens. The impact on the character of the street scene is limited to the front part of the boundary wall. A suitable condition can be applied to ensure that measures to

mitigate the visual impact of the structures.

8.0 Conclusion

8.1 As such, the proposal is judged to have an acceptable impact and, therefore, can be supported for conditional approval.

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

1(a), 1(b), 1(c), 1(d), 2(b), 2(d), 4(vv), 7(a), 9(a), 9(b)

KA for 25/08/15 PROW Panel

PLANNING CONDITIONS

01. APPROVAL CONDITION – Finish to rear and side elevations.

Within three months of the date of this permission, the side and rear elevations of the outbuilding and the front section of boundary wall shall be finished in a rendered finish to match the main house.

Reason:

To mitigate the visual impact of the outbuilding as seen from adjoining neighbouring gardens by giving the structure a lighter colour and covering the underlying breezeblock structure.

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 and Appearance

Supplementary Planning Guidance
The Residential Design Guide 2006

Other Relevant Guidance
The National Planning Policy Framework 2012

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Scale: 1:1,250

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