

Application 16/00022/FUL

Relevant Planning History

15/00542/FUL, Erection of a single storey outbuilding and alterations to include two velux windows, front porch and ground floor window [description amended]

Refused, 20.05.2015

Appeal Allowed in Part, Dismissed in Part, 13.10.2015

Reason for refusal - Unacceptable impact on amenity

The proposed detached outbuilding, by means of its height and massing and proximity to the boundary with the neighbouring flatted development in Providence Park, represents an unsympathetic and un-neighbourly form of development, harming the amenity of neighbouring occupiers. In particular, the outbuilding would enclose the garden space for these flats and would appear overbearing when viewed from ground floor habitable room windows and erode the amenity that the garden space currently provides. The proposal thereby proves contrary to saved policies SDP1(i), SDP7(i)(iii)(iv) and SDP9(i)(v) of the adopted City of Southampton Local Plan Review (March 2006) and CS13 of the adopted Local Development Framework Core Strategy Development Plan Document (January 2010), and as supported by the Residential Design Guide Supplementary Planning Document 2006.

10/01253/FUL, Erection of a part 2-storey, part single storey 4-bed detached house with associated parking and cycle/refuse storage following demolition of existing house and garage
Conditionally Approved, 19.11.2010

08/01167/FUL, 2 storey side and rear extension following demolition of existing garage with alterations to roof (re-submission 08/00400/FUL)

Refused, 03.10.2008

Appeal Allowed, 24.02.2009

08/00400/FUL, Erection of a two-storey front, side and rear extension and raising of ridge height.
Refused, 22.05.2008

07/00301/FUL, Redevelopment of site, demolition of existing dwelling and erection of two-storey, detached building containing four x two-bed flats with associated parking
Conditionally Approved, 07.06.2007

06/00413/FUL, Redevelopment of the site by the construction of a two-storey building containing 6 x two-bedroom flats with associated car/cycle parking and refuse store.
Refused, 24.05.2006

05/01712/FUL, Redevelopment of the site by the erection of 6 no. two bed flats and 1 no. one-bed flat in 2/3 storey block with associated car parking.

Refused, 01.02.2006

Appeal Dismissed, 06.12.2006

05/01170/FUL, Redevelopment of the site by the erection of a 2/3 storey building comprising 7 x 2-bed flats with associated car parking and cycle storage (resubmission).

Refused, 21.09.2005

05/00360/FUL, Redevelopment of the site by the erection of a three/two storey building comprising 7 flats (6 x 2 bed and 1 x 1 bed) with associated car parking

Refused, 05.05.2005



Appeal Decision

Site visit made on 1 October 2015

by C J Leigh BSC(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 13 October 2015

Appeal Ref: APP/D1780/D/15/3121464
133 Bassett Avenue, Southampton, SO16 7EP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Sahota against the decision of Southampton City Council.
 - The application Ref 15/00542/FUL, dated 1 April 2015, was refused by notice dated 20 May 2015.
 - The development proposed is described as 'outbuilding, alterations to as approved scheme to include two velux windows, front porch & ground floor window'.
-

Procedural matters

1. Notwithstanding the description of development set out above, which is taken from the application form, it is clear from the plans and accompanying details that the development comprises the erection of a single storey outbuilding and alterations to include two Velux windows, front porch and ground floor window. The Council dealt with the proposal on this basis and so shall I.

Decision

2. The appeal is dismissed insofar as it relates to the erection of a single storey outbuilding. The appeal is allowed insofar as it relates to alterations to include two Velux windows, front porch and ground floor window, and planning permission is granted for alterations to include two Velux windows, front porch and ground floor window at 133 Bassett Avenue, Southampton, SO16 7EP in accordance with the terms of the application, Ref 15/00542/FUL, dated 1 April 2015 and the plans submitted with it so far as relevant to that part of the development hereby permitted and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with approved plans Sahbg sht 1, Sahbg sht 3 & Sahbg sht 4.

Main issue

3. The main issue is the effect of the proposed development on the living conditions of adjoining occupiers with particular reference to outlook.

www.planningportal.gov.uk/planninginspectorate

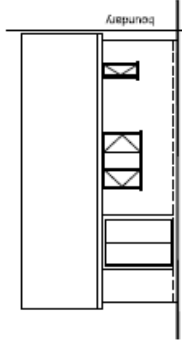
Reasons

- The outbuilding shown on the submitted drawings has been partly built. It lies at the end of the garden to the property, close to the boundary with 135 Bassett Avenue to the north and flats within Providence Park to the west. Whilst the eaves height to the outbuilding is similar to the height of the boundary wall to the flats, the pitched roof and ridge to the outbuilding is notably taller. I could appreciate from my site visit and from third parties representations that the height and proximity of this roof to the building is dominant upon the amenity space to the flats; a space that has limited depth, and so evidently relies on an open aspect to ensure a good standard of amenity is provided. The pitched roof to the outbuilding does not sufficiently mitigate this harmful effect, and the harm to outlook outweighs any benefit arising from the screening effect of the outbuilding.
- I therefore concur with neighbouring occupiers and with the Council that the outbuilding is harmful to the outlook from the adjoining private amenity land. This is harmful to the living conditions of existing residents, and so conflicts with saved Policies SDP1(i), SDP7(i)(iii) and SDP9(v) of the adopted City of Southampton Local Plan Review 2006, Policy CS13 of the adopted Local Development Framework Core Strategy Development Plan Document 2010, and the guidance contained in the Residential Design Guide Supplementary Planning Document 2006.
- The drawings show alterations to extensions to the house which is currently under construction, and which I am told is pursuant to permission 08/01167/FUL. This includes the two new Velux windows in the roof and a window in the side elevation to the garage. A modified design to the porch and garage roof is also shown. Those changes are minor in the context of a streetscene with variety in the appearance of properties, whilst the windows would not affect privacy. The Council have raised no objection to these elements of the works. Thus, there would be no conflict with the policies referred to earlier.
- For the reasons given, and having regard to all other matters raised, the appeal is dismissed insofar as it relates to the outbuilding, but is allowed insofar as it relates to the works to the house. A condition is necessary requiring matching materials to ensure a satisfactory appearance to the development, and a further condition specifying the approved drawing, for the avoidance of doubt and in the interests of proper planning

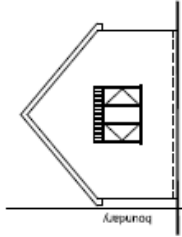
C J Leigh

INSPECTOR

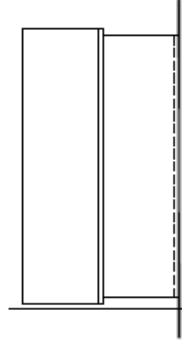
Materials to match as closely as possible to existing and to L/A approval



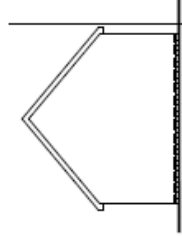
Front View
Scale 1:100



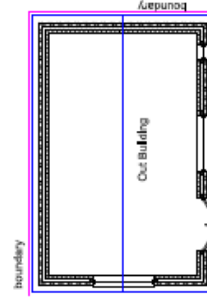
Side View
Scale 1:100



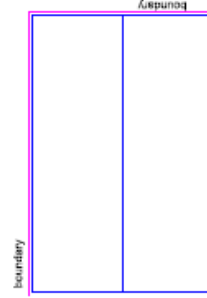
Rear View
Scale 1:100



Side View
Scale 1:100



Ground Floor Plan
Scale 1:100



Roof Plan
Scale 1:100

Notes
1. All work shall be in accordance with the Building Regulations.
2. All work shall be in accordance with the Building Regulations.
3. All work shall be in accordance with the Building Regulations.

Drawing Title		Date	Revisions
Proposed Outbuilding			

SITE ADDRESS	CLIENT ADDRESS
133 Forest Avenue Southampton Hampshire SO16 7EP	

Scale:	as noted	PAPER SIZE A2
Date:	March 2015	Drawn by: <i>RNS</i>

Sanders Design Services LTD

95 Cedar Road
Hythe
Southampton
SO45 3PX

Tel: 023 8020 7196
Fax: 023 8020 7296
Mobile: 0753 072296
Email: rob@ Sanders1985.com

Drawing No: Revision:

Sahibg sht: 2 X

