

Planning, Transport & Sustainability Division
Planning and Rights of Way Panel 12th July 2016
Planning Application Report of the Planning and Development Manager

Application address: 10 Stoddart Avenue			
Proposed development: Erection of a two storey rear extension (resubmission)			
Application number	16/00619/FUL	Application type	FUL
Case officer	John Fanning	Public speaking time	5 minutes
Last date for determination:	05/07/16	Ward	Peartree
Reason for Panel Referral:	Request by Ward Member and five or more letters of objection have been received	Ward Councillors	Cllr Lewzey Cllr Houghton Cllr Keogh
Referred to Panel by:	Cllr Keogh Cllr Lewzey	Reason:	Inappropriate and out of character scale of development being overbearing on neighbouring occupiers
Applicant: Mr Sandhu		Agent: Mr Balbinder Heer	

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 (Amended 2015) and CS13 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015).

Appendices attached	
1	Development Plan Policies
2	Site history

Recommendation in Full

Conditionally approve

1. The site and its context

- 1.1 The application site comprises a detached, two-storey, single-family dwellinghouse. The site lies in close proximity to Bitterne District Centre. Stoddart Avenue is a residential street typified by detached and semi-detached dwellings situated in reasonably sized plots. There are a mix of larger dwellings with some bungalows within the area. The application property and its surrounding neighbours are larger detached dwellings.

2. Proposal

- 2.1 The application proposes a two-storey extension to the rear of the property, using the footprint of an existing single-storey extension, proposed to be replaced by the development. The extension would have a hipped roof appearance, albeit with a flat top.
- 2.2 The existing dwelling has a staggered rear building line and the proposed extension would link into an existing rear two-storey projection to the eastern side of the property. The massing is set down from the main bulk of the existing dwelling. The extension projects between 3.5 metres and 1.4 metres from the existing rear building line of the dwelling.

3. 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. Relevant Planning History

- 4.1 A previous application for a similar two-storey rear extension was recently refused under planning application reference 15/02364/FUL. This application was refused due to the impact on the character and amenity of the area. The main difference between the previous proposal and the current application is that the height and massing of the structure have been significantly reduced. The previous proposal had a full hipped roof with a ridge protruding above the ridge of the existing building. The current application has reduced the height of the extension by approximately 2 metres.
- 4.2 There have been a number of other previous applications on the site (a full outline of which is attached in **Appendix 2**).

5. 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. The following is a summary of the points raised:

5.1.1 *The proposal would result in overlooking of the neighbouring properties.*

Response: The plans as originally submitted resulted in a first-floor bedroom window being relocated to the side elevation of the main house. Amended plans have been secured to remove an internal partition to ensure that this bedroom will instead rely on a rear-facing window. A condition has also been recommended to ensure that no other windows are located in the first floor side elevations of the extension and the bedroom is not subdivided in the future (see conditions 3 and 4, below).

5.1.2 *The house is already large/a potential change of use will occur/owners will not follow planning restrictions.*

Response: The current application does not seek permission for a change of use of the building and can only be assessed solely on the basis of the physical impacts of the proposed extension. The Council has enforcement powers to remedy any breaches of planning control, as necessary.

5.1.3 *The development will appear out-of-character.*

Response: This is assessed more fully in section 6, below. In summary, the design of the extension is subordinate to the main house and sympathetic in appearance. The extension would be constructed on the footprint of an existing conservatory and so would not further erode the available garden space. Furthermore, its location to the rear means it has a limited impact on the wider character of the area.

5.1.4 *If approved, conditions should be imposed controlling hours of construction.*

Response: Given the scale of the proposed works and the residential nature of the surrounding area, it is felt that this condition would be reasonable to control potential impacts of development (see condition 5, below).

5.2 Consultation Responses

5.2.1 **Cllr Keogh** – Scale of development would be out of character and overbearing to neighbouring occupiers.

5.2.2 **Cllr Lewzey** – Should be refused on the basis of overdevelopment, massing, design, amenity of neighbouring occupiers and impact on overall character of the area.

6. Planning Consideration Key Issues

- 6.1 The broad nature of the proposal is similar to the recently refused application (reference 15/02364/FUL). As such, one of the main considerations of the current application is whether the amended design has addressed the previous reason for refusal. The previous application was refused due to the impact on the character of the host dwelling (with particular reference to the massing) and the resultant impact on neighbouring occupiers in terms of the overbearing form of development.
- 6.2 The footprint of the extension has not been changed from the previous scheme, however, the overall massing and height of the extension has been significantly reduced. The roof form has been changed from a full hipped roof (with a ridge protruding above the existing ridge) to a partial hip design with a flat roof element. This has the effect of significantly reducing the overall height (by approximately 2 metres) and massing of the resultant extension.
- 6.3 The main impact of the development will be on the neighbouring property at 12 Stoddart Avenue, given that the development lies on the western side of the site and is well set back from the other boundaries. The application site has an existing single storey side extension on the immediate boundary with this property (approved under planning application 05/00646/FUL). This single-storey element will somewhat screen the two-storey extension which is set back from the immediate boundary.
- 6.4 Overall, given the reduction in height of the proposed structure when compared to the previously refused scheme, it is not felt that the proposal will have a harmful impact on the outlook from the neighbouring property, particularly when compared to the existing situation. Taking into account the set back of the two-storey element from the immediate boundary (by approximately 5 metres) and the intervening single-storey extension, it is felt that the amended design sufficiently minimises the impact of the extension. This is particularly in terms of reducing the over-bearing nature of the development.
- 6.5 It is noted that the extension does represent a small contravention of the 45 degree code from the dwelling at 12 Stoddart Avenue. With reference to section 2.2.17-18 of the Residential Design Guide it is felt that the significant set back from the boundary and intervening development is sufficient to mitigate any impact in terms of outlook or the creation of an overshadowing form of development.
- 6.6 The partial hip design of the roof reduces the visual prominence of this aspect of the scheme. The extension is set to the rear of the property with limited visibility outside of the site and the flat top of the roof would not be readily apparent from public vantage points. On balance, it is not felt that the proposal represents significant harm to the overall appearance and character of the host dwelling within the surrounding street scene.
- 6.7 The site retains well in excess of the 21m back-to-back separation distance required in section 2.2.4 of the Residential Design Guide (RDG). In addition, the property retains a large garden which significantly exceeds the 90m² required for a detached dwelling under section 2.3.12-14 of the RDG. As such, it is not felt that the proposal represents an over-development of the site and will retain a good-

quality residential environment for the occupiers of the host dwelling.

7. Summary

7.1 It is felt that the application has addressed the previous reasons for refusal in terms of minimising the impact on the character of the host dwelling and reducing the overall massing of development to reduce the impact in terms of the creation of an overbearing form of development. Amended plans have been secured to address concerns with an original design with potential for overlooking of neighbouring properties.

8. Conclusion

8.1 For the reasons outlined 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(a)(b), 7(a)

JF1 for 05/07/16 PROW Panel

PLANNING CONDITIONS

01. Full Permission Timing Condition

The development hereby permitted shall begin no 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. Materials to match

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. Permitted Development restriction - Windows

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any Order amending, revoking or re-enacting that Order no further windows shall be inserted in the first floor side elevations of the development hereby approved unless subsequently granted planning permission.

Reason: To protect the amenity and privacy of the adjoining property.

04. Internal Subdivision

Bedroom 3 shall be retained in accordance with the plans hereby approved and not further subdivided unless subsequently granted planning permission.

Reason: In the interests of residential amenity and the amenities of the neighbouring occupiers, to ensure that bedroom 3 does not lose its outlook to the rear of the property.

05. Hours of work

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 to 18:00 hours

Saturdays 09:00 to 13:00 hours

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. 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

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)

Relevant Planning History

15/02364/FUL, Erection of a two-storey rear extension, following demolition of existing conservatory
Refused, 09.02.2016

Reason for refusal - Unacceptable impact on character and amenity

The proposed development, by means of its height and depth, represents an unsympathetic and un-neighbourly form of development. The scale and design of the proposed extension fails to integrate into the existing characteristics of the host dwelling and represents an overbearing form of development when viewed from neighbouring properties. The proposal thereby proves contrary to saved policies SDP1(i), SDP7(iii)(iv) and SDP9(i)(v) of the adopted City of Southampton Local Plan Review (amended March 2015) and CS13 of the adopted Local Development Framework Core Strategy Development Plan Document (amended March 2015), with particular reference to sections 2.2.1, 2.2.11-13 and 2.3.1-2 of the Residential Design Guide Supplementary Planning Document (2006).

13/00836/FUL, Erection of a two-storey rear extension.
Conditionally Approved, 01.08.2013

11/01919/FUL, External alterations and the erection of a two storey infill extension to facilitate the conversion and change of use of two existing dwellings (8 - 10 Stoddart Avenue) to a 13 room care home with ancillary outbuilding.
Refused, 07.03.2012

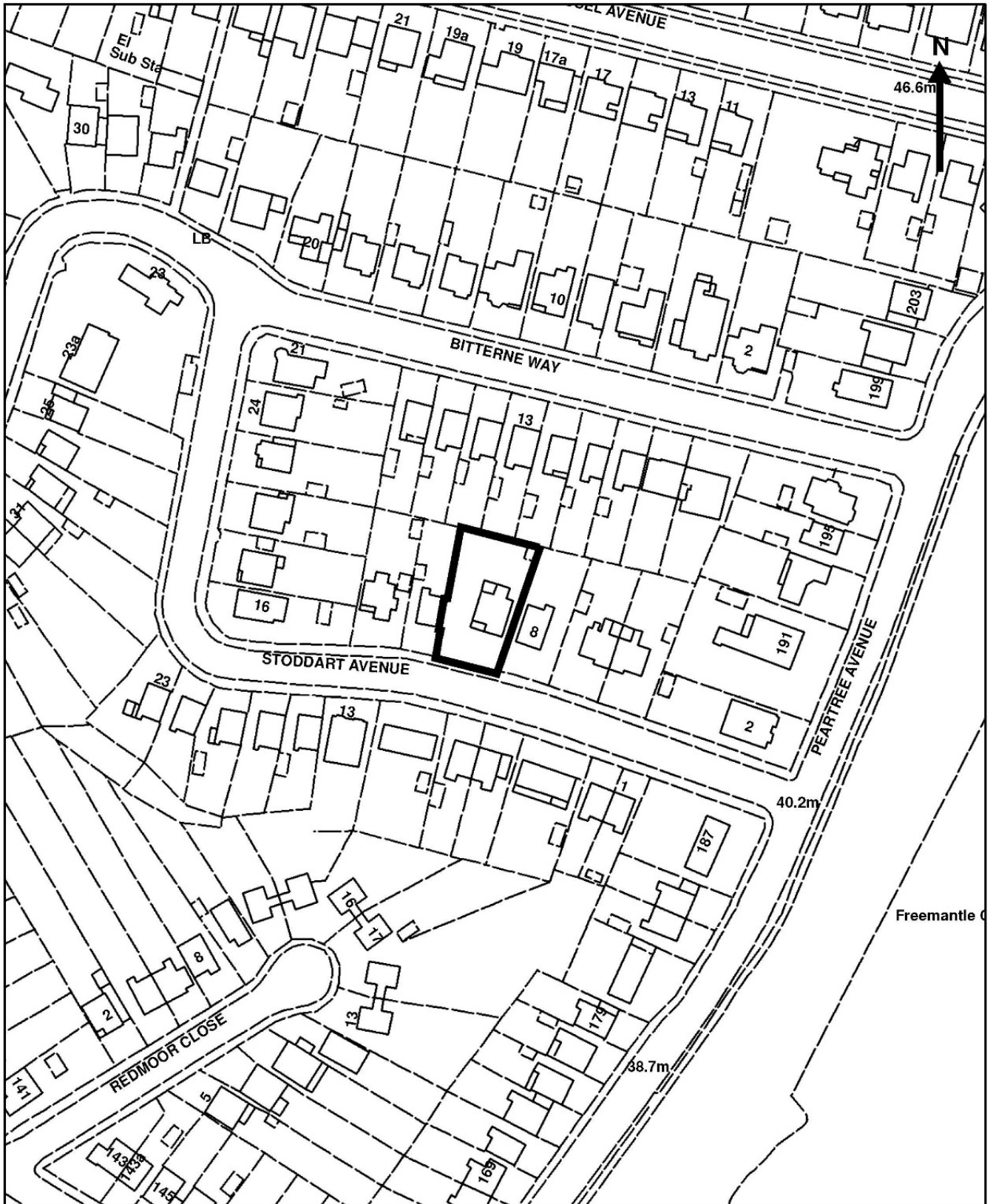
07/01903/FUL, Erection of a wall to front and side boundary (retrospective) resubmission.
Conditionally Approved, 17.01.2008

07/01068/FUL, Erection of a 1.7m high wall to front and side boundary (retrospective)
Refused, 28.09.2007

05/00646/FUL, Erection of a single storey side extension to form garage and a conservatory to the rear elevation.
Conditionally Approved, 24.06.2005

950821/E, Erection of a two-storey extension and integral garage to side of property
Conditionally Approved, 08.12.1995

16/00619/FUL



Scale: 1:1,250

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