

Planning, Transport & Sustainability Division
Planning and Rights of Way Panel 25 October 2016
Planning Application Report of the Planning and Development Manager

Application address: 71 Upper Brownhill Road			
Proposed development: Alterations and extensions to existing 4 bedroom dwelling to form 2 semi-detached houses (1 x 3 bedroom, 1 x 2 bedroom) with associated parking, cycle and refuse storage. Resubmission of 16/00097/FUL.			
Application number	16/01391/FUL	Application type	FUL
Case officer	Stuart Brooks	Public speaking time	5 minutes
Last date for determination:	10.10.16	Ward	Redbridge
Reason for Panel Referral:	Request by Ward Member and five or more letters of objection have been received	Ward Councillors	Cllr Whitbread Cllr Pope Cllr Mcewing
Referred to Panel by:	Cllr Pope	Reason:	Concerns about amenity, highway safety and character

Applicant: Mr M Cookson	Agent: Brian Campbell Associates
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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. 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, SDP5, SDP7, SDP9, SDP10, SDP12, H1, H7 of the City of Southampton Local Plan Review (Amended 2015) and CS4, CS5, CS13, CS16, CS18, CS19, CS20, CS22 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015).

Appendix attached			
1	Development Plan Policies	2	16/00097/FUL Plans

Recommendation in Full

Conditionally approve

1. The site and its context

- 1.1 This application site contains a detached, 2-storey dwelling with a parking area to the front. The property is located within the Redbridge Ward on the southern side of Upper Brownhill Road. This part of the street mainly consists of 2-storey detached and semi-detached dwellings in a range of styles, well set back from the street frontage. The property itself is an attractively proportioned dwelling in an art-deco style. The majority of the frontage has been hard-surfaced.

2. Proposal

- 2.1 The application no longer includes a detached dwelling within the rear garden, as proposed under the previous application 16/00097/FUL (see **Appendix 2** for plans). It is now proposed to convert the existing 4-bedroom dwelling to form 2 semi-detached dwellings (1 x 3 bedroom, 1 x 2 bedroom). This will be facilitated by building a 2 storey rear extension to a depth of 4m. The works will involve minimal alterations to the appearance of the façade, creating a new side entrance and canopy to serve the new 2-bedroom dwelling. The existing driveway will be fully hard surfaced to provide 3 parking spaces, laid out width way across the frontage. The rear garden will be subdivided, providing 300sqm for the 3 bedroom dwelling and 85sqm for the 2 bedroom 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 Saved Policy SDP1 (Quality of development) of the Local Plan Review allows development, providing that it does not unacceptably affect the health, safety and amenity of the city and its citizens. Policy SDP7 (Context) and SDP9 (Scale, Massing, and Appearance) allows development which will not harm the character and appearance of the local area, and the building design in terms of scale and massing should be high quality which respects the surrounding area. Policy CS13 (Fundamentals of Design) assesses the development against the principles of good design.
- 3.3 Policy CS4 acknowledges that new homes will generally need to be built at higher densities. New dwellings coming forward on suitable windfall sites will contribute towards delivering the Council’s strategic target for housing supply.
- 3.4 Policy CS5 acknowledges that whilst there is continuing pressure for higher densities in order to deliver development in Southampton, making efficient and effective use of land, however, the development should be an appropriate density for its context, and protect and enhance the character of existing neighbourhoods.
- 3.5 Policy CS16 of the Core Strategy requires the retention of a suitable 3 bedroom family unit with access to its own private and usable amenity space of a minimum size of 20 sqm.
- 3.6 Policy CS19 of the Core Strategy (Car and Cycle Parking) of the Core Strategy

sets out the Council's approach to car and cycle parking standards for new developments in the city, as supported by the guidance and standards set out in section 4.2 of the Parking Standards Supplementary Planning Document (formally adopted September 2012).

- 3.7 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 This application follows the withdrawal of planning application 16/00097/FUL. The plans associated with the previous proposal are appended to **Appendix 2**. The applicant agreed to revise the development of this site following concerns raised by the previous case officer with regards to the proposed detached dwelling in the rear garden.

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, placing a press advertisement (enter date) and erecting a site notice (enter date). At the time of writing the report **18** representations have been received from surrounding residents. The following is a summary of the points raised:

5.1.1 Increased traffic generation from creating an additional house and safety problems during construction, as well as exacerbating existing on-street parking problems due to insufficient parking for 2 dwellings

Response

The 2 dwellings will provide the maximum number of off street parking spaces required in this location. The Highway Officer has not raised a concern with regards to the impact on highway safety from the additional traffic movements associated with the additional dwelling on the site. The works will mainly involve the enlargement of the existing building which can be easily contained within the existing plot. A Construction Management Plan will be secured by condition.

5.1.2 Out of the character, over-development, and set precedent for similar subdivision of properties

Response

The works to facilitate the subdivision will have a minimal impact on the appearance of the dwelling within the street scene, whilst the scale, massing and design of the 2-storey extension would be in keeping with the proportions of the dwelling. The planning system cannot preclude similar applications coming forward within Upper Brownhill Lane, so each application must be assessed on its own individual merits to assess whether it is causing harm in its own right.

5.1.3 Loss of amenity to neighbouring occupiers including privacy, outlook and

light

Response

The size and orientation of the proposed extension is sufficiently set back from the neighbouring properties to ensure that there is no adverse loss of light, outlook and privacy to the neighbouring occupiers.

5.1.4 Loss of security to neighbouring occupiers and properties in Kennedy Road as this would go against measures taken to restrict access into the rear of the neighbouring properties

Response

The proposal would retain the existing 1.8 metre boundary treatment to the rear site boundaries and the rear garden is secured by gated access from the street. As such, there is no evidence to suggest that the proposal would increase the crime and anti-social behaviour risks to neighbouring properties.

5.1.5 Loss of wildlife and habitat through the loss of garden space

Response

The Council's Ecologist has raised no concerns with regards to the loss of wildlife and habitat, as they consider that that the garden has minimal ecological value. Furthermore, a significant sized rear garden would be retained.

5.1.6 Noise disturbance from the development

Response

It is unavoidable that disruption and disturbance may be caused to neighbours by the construction process however, a planning condition can restrict the developer from working during anti-social hours. The Council's Environmental Health team have powers to enforce against noise disturbance which is deemed to be causing a statutory nuisance.

Consultation Responses

5.2 **SCC Highways** – No objection

5.3 **SCC Ecology** – No objection

5.4 **SCC Conservation Heritage** – No objection subject to conditions

5.5 **Southern Water** – No objection subject to conditions

6. Planning Consideration Key Issues

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

- Principle of Development
- Impact on Character and Amenity
- Impact on Highway Safety

6.2 Principle of Development

6.2.1 A 3 bedroom family dwelling is being re-provided as part of the subdivision of the property in accordance with the requirements of policy CS16. The proposal would make efficient use of a previously developed site to provide further residential accommodation to meet the city's needs. The retention and re-use of the existing building is welcome, given its attractive qualities within the street scene. As such, there is no policy presumption against converting the existing residential property and, therefore, the proposal would be acceptable in principle. This is subject to the assessment of other planning considerations as set out below.

6.3 Impact on Character and Amenity

6.3.1 Following the withdrawal of the previous planning application, the level of development proposed has significantly reduced by omitting the dwelling in the rear garden, and now only opting to divide the property into 2 separate dwellings. The width and depth of the existing plot provides sufficient space to subdivide the property into a semi-detached pair, where each dwelling would have access to good-quality private and usable amenity space, which exceeds the adopted standards. The extension to the building offers further space to re-provide a 3 bedroom dwelling in accordance with policy CS16. Although, the 2-bedroom dwelling and its garden space is smaller than other dwellings in the surrounding area, this is comfortably accommodated by the large plot and is not visually discernible from the street scene and, therefore, would not significantly alter the character and appearance of the local area. Furthermore, the introduction of smaller dwellings is consistent with national planning objectives to provide a mix and choice of homes.

6.3.2 Having made an assessment directly from the neighbouring properties at 73 and 69 Upper Brownhill Road, it is considered that the amenity of the neighbouring occupiers will not be adversely affected by the scale and massing of the proposed extension. In addition, there is sufficient separation between the properties within Kennedy Road (over 40m back to back) which ensures the amenity of the nearby occupiers is not adversely affected.

6.3.3 The property at no.73 has a ground side window serving a habitable room which currently looks out onto the rear south-east corner of no. 71. This room has been adapted from a wet room to create a study room. Although this room is relying on light and outlook from neighbouring land, access to outlook and light to the room would not be guaranteed if the neighbours built a single-storey extension under their permitted development rights.

6.3.4 The rear windows at first floor level within the proposed extension would sit further to the rear, however, they would look mainly down the rear garden of the property. Any views towards the neighbour's garden would be at an oblique angle. This relationship is not untypical of 2-storey housing siting side by side each other, which is seen all over the city. The greater depth of the existing rear extension at no. 73 in relation to the proposed extension would ensure that the neighbour's patio area or kitchen/diner window is not unduly enclosed or shaded.

6.3.5 The first floor windows within the neighbouring properties directly adjacent to the extension, are obscure glazed non-habitable rooms and, therefore, are not

afforded the same level of protection in terms of the outlook and light as they are rooms which are lived in by the occupiers.

- 6.3.6 From no. 69, the proposed extension would be sufficiently set away from the neighbour's patio area (2.55m), being partly screened by the existing garage. This will ensure that the neighbour's maintain a decent and open outlook across their rear garden without being enclosed by the proposed extension.
- 6.3.7 The proposed extension would shade the neighbouring gardens for a limited period during the day, with a shadow casting on no. 69 during the morning period and then starting to fall across the garden of no. 73 to the east during the later afternoon period. As such, the loss of light would not be deemed harmful as the orientation of the neighbouring properties and the depth of the extension would still provide sufficient access to light for an adequate period of time during the day.
- 6.3.8 The occupiers of no. 69 are concerned about the increased vulnerability to their rear garden through the removal of the existing side gate in order to create the side access to the new 2 bed dwelling and the respective rear gardens. This arrangement between neighbouring properties is not untypical for housing development within the city. The neighbour's increased fears about the security of their property are noted, however, a condition can be imposed to ensure that replacement gates are installed and retained. Furthermore, it should be noted that there is already an outbuilding in the rear garden adjacent to the neighbour's garden fence, so the introduction of a bike store in this location would not affect the neighbours' security any further.

6.4 Impact on Highway Safety

- 6.4.1 The Highway Officer has raised no concerns about the layout of the access and parking with regards to the impact on highway safety. The provision of 3 off street parking spaces (1 space for the 2-bed and 2 spaces for the 3-bed) within the frontage would meet the Council's maximum parking standards for this highly accessible location (near Lordshill Centre). The additional 2-bed dwelling will generate the need for 1 additional parking space. No parking survey has been submitted with the application to assess the current on-street parking capacity, however, this is not necessary given that the maximum number of on-site spaces required has been provided. As such, a refusal on the basis of the parking levels provided could not be justified given the nature of recent appeal decisions, where Inspectors have determined that it is the onus of the Council to demonstrate harm from the lack of off-street parking.

6.5 Other matters

- 6.5.1 The Conservation of Habitats and Species Regulations 2010 (as amended) provides statutory protection for designated sites, known collectively as Natura 2000, including Special Areas of Conservation (SAC) and Special Protection Areas (SPA). This legislation requires competent authorities, in this case the Local Planning Authority, to ensure that plans or projects, either on their own or in combination with other plans or projects, do not result in adverse effects on these designated sites. The Solent coastline supports a number of Natura 2000 sites including the Solent and Southampton Water SPA, designated principally for birds, and the Solent Maritime SAC, designated principally for habitats. Research

undertaken across south Hampshire has indicated that current levels of recreational activity are having significant adverse effects on certain bird species for which the sites are designated. A mitigation scheme, known as the Solent Disturbance Mitigation Project (SDMP), requiring a financial contribution of £176 per unit has been adopted. The money collected from this project will be used to fund measures designed to reduce the impacts of recreational activity. This application has complied with the requirements of the SDMP and meets the requirements of the Conservation of Habitats and Species Regulations 2010 (as amended).

6.5.2 At the time of writing this application, the applicant has been requested to secure the necessary contribution towards SDMP.

7. Summary

7.1 In summary, the proposal is judged not to cause any harm to the local area with regards to the considerations above. The subdivision of the property can accommodate an additional dwelling which would contribute to the city's housing need.

8. Conclusion

8.1 In conclusion, the proposal is considered to be acceptable in accordance with the Council's policies and guidance.

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), (g), (vv), 6(a), (b), 7(a)

SB for 25/10/16 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. Details of building materials to be used

The materials and finishes used in the construction of the works hereby approved shall match the existing the building as closely as possible.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality.

03. Archaeological watching brief investigation

No development shall take place within the site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that the archaeological investigation is initiated at an appropriate point in development procedure.

04. Archaeological watching brief work programme

The developer will secure the completion of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that the archaeological investigation is completed

05. Landscaping & means of enclosure detailed plan

Notwithstanding the submitted details, before the commencement of any site works a detailed landscaping scheme and implementation timetable shall be submitted to and approved by the Local Planning Authority in writing, which includes:

- i. hard surfacing materials;
- ii. planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate. This shall include 2 trees of suitable species and size;
- iii. details of any proposed boundary treatment, including retaining walls and;
- iv. a landscape management scheme.

The approved hard and soft landscaping scheme (including parking and boundary treatment) for the whole site shall be carried out prior to occupation of the building or during the first planting season following the full completion of building works, whichever is sooner. The approved scheme implemented shall be maintained for a minimum period of 5

years following its complete provision, with the exception of the boundary treatment which shall be retained for the lifetime of the development.

Any trees, shrubs, seeded or turfed areas which die, fail to establish, are removed or become damaged or diseased, within a period of 5 years from the date of planting shall be replaced by the Developer in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation. The Developer shall be responsible for any replacements for a period of 5 years from the date of planting.

Reason: To improve the appearance of the site and enhance the character of the development in the interests of visual amenity, to ensure that the development makes a positive contribution to the local environment and, in accordance with the duty required of the Local Planning Authority by Section 197 of the Town and Country Planning Act 1990

06. Refuse & Recycling

Before the development hereby approved first comes into occupation, the storage for refuse and recycling shall be provided in accordance with the plans hereby approved and thereafter retained as approved.

Reason: In the interest of visual and residential amenity.

07. Cycle parking

Before the development hereby approved first comes into occupation, the storage for bicycles shall be provided and made available for use in accordance with the plans hereby approved. The storage shall thereafter be retained as approved.

Reason: To encourage cycling as an alternative form of transport.

08. Public Sewer protection

Prior to the commencement of development, details of the measures to protect the public sewer from damage during the demolition and construction shall be submitted to and approved by the Local Planning Authority in writing. The measures shall be implemented as approved for the duration of demolition and construction works.

Reason: In order to safeguard the public sewer.

09. Hours of work for Demolition / Clearance / Construction

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.

10. Construction Management Plan

Before any development or demolition works are commenced details shall be submitted to and approved in writing by the Local Planning Authority making provision for a

Construction Method Plan for the development. The Construction Management Plan shall include details of:

- (a) parking of vehicles of site personnel, operatives and visitors;
- (b) loading and unloading of plant and materials;
- (c) storage of plant and materials, including cement mixing and washings, used in constructing the development;
- (d) treatment of all relevant pedestrian routes and highways within and around the site throughout the course of construction and their reinstatement where necessary;
- (e) measures to be used for the suppression of dust and dirt throughout the course of construction;
- (f) details of construction vehicles wheel cleaning; and,
- (g) details of how noise emanating from the site during construction will be mitigated. The approved Construction Management Plan shall be adhered to throughout the development process unless agreed otherwise in writing by the local planning authority.

Reason: In the interest of health and safety, protecting the amenity of local land uses, neighbouring residents, the character of the area and highway safety.

11. Residential - Permitted Development Restriction

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 building or structures within Schedule 2, Part 1, Classes as listed below shall be erected or carried out to any dwelling house hereby permitted without the prior written consent of the Local Planning Authority:

- Class A (enlargement of a dwelling house), including a garage or extensions and the installation of windows/fenestration,
- Class B (roof alteration),
- Class C (other alteration to the roof)

Reason: In order that the Local Planning Authority may exercise further control in this locality given the specific circumstances of the application site and in the interests of the comprehensive development and visual amenities of the area.

12. Obscure Glazing

The kitchen/diner windows in the east elevation, located at ground floor level, of the extension hereby approved, shall be obscure glazed and fixed shut up to a height of 1.7 metres from the internal floor level before the development is first occupied. The windows shall be thereafter retained in this manner.

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

13. 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)

CS4	Housing Delivery
CS5	Housing Density
CS13	Fundamentals of Design
CS19	Car and Cycle parking
CS20	Sustainability
CS22	Biodiversity
CS25	The Delivery of Infrastructure and Developer Contributions

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

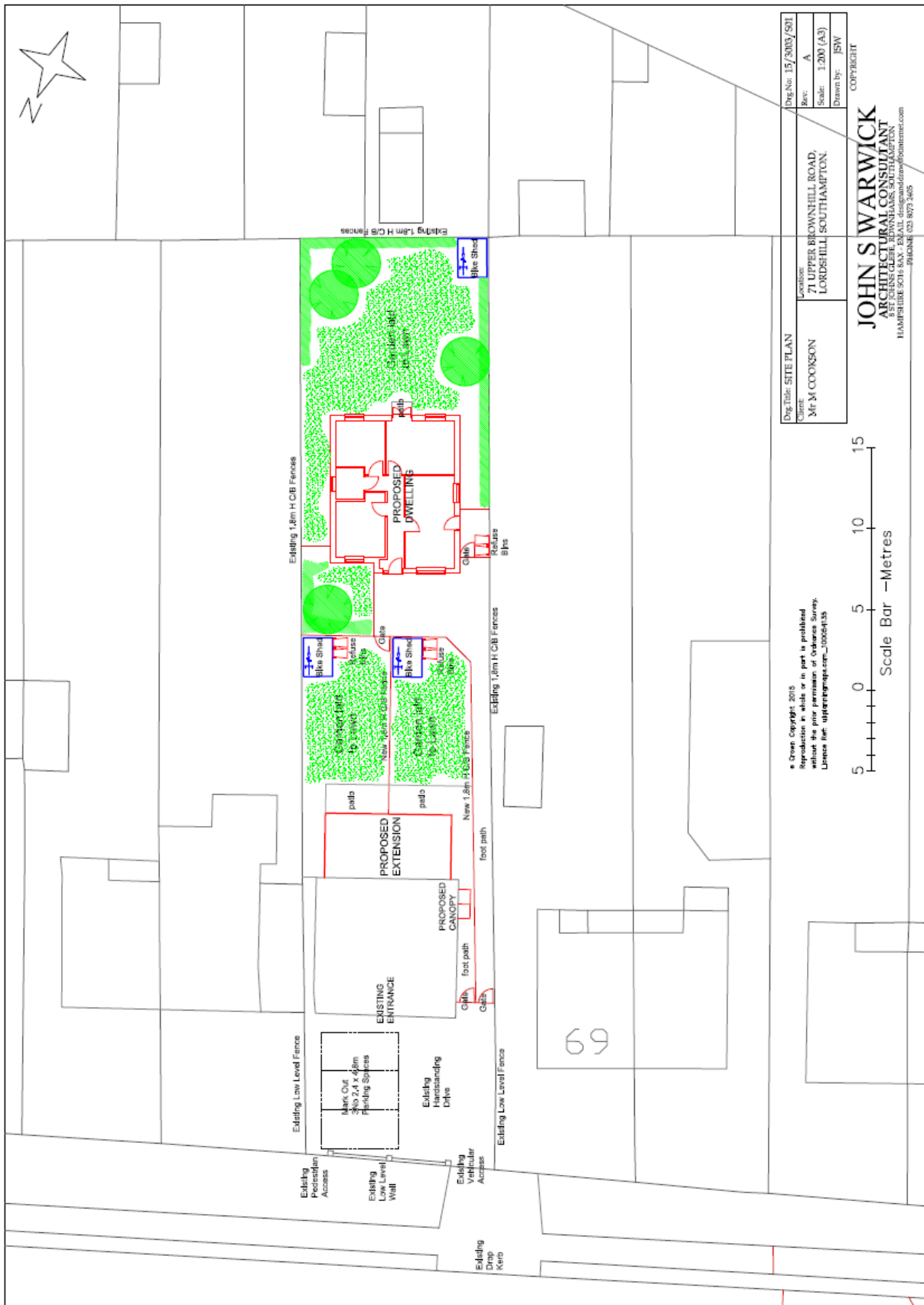
SDP1	Quality of Development
SDP5	Parking
SDP7	Context
SDP9	Scale, Massing & Appearance
SDP10	Safety and Security
SDP12	Landscaping
NE4	Protected Species
H1	Housing supply
H2	Previously developed land
H7	Residential environment

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)
Planning Obligations (Adopted - September 2013)
Parking Standards SPD (September 2011)

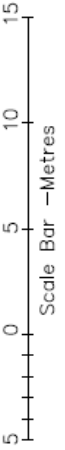
Other Relevant Guidance

The National Planning Policy Framework (2012)
The Southampton Community Infrastructure Levy Charging Schedule (September 2013)



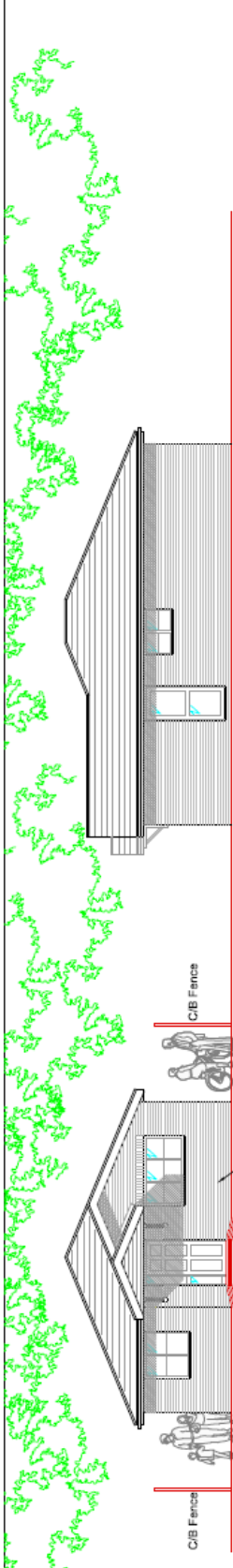
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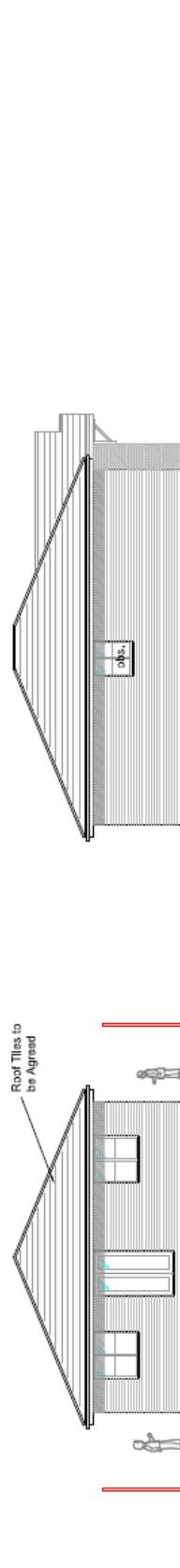
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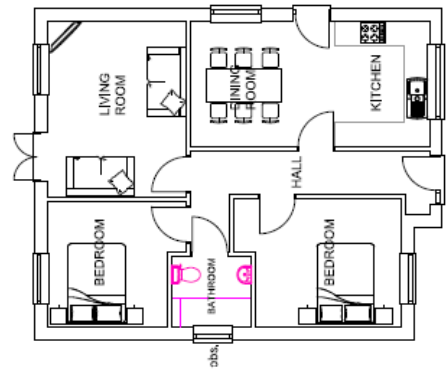
FRONT ELEVATION

FACE BRICK TO BE AGREED

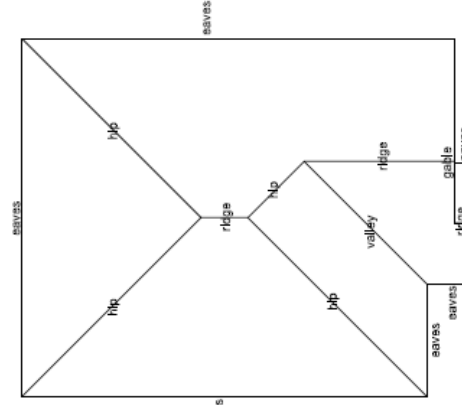


REAR ELEVATION

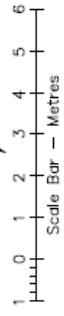
ROOF TILES TO BE AGREED



GROUND FLOOR LAYOUT



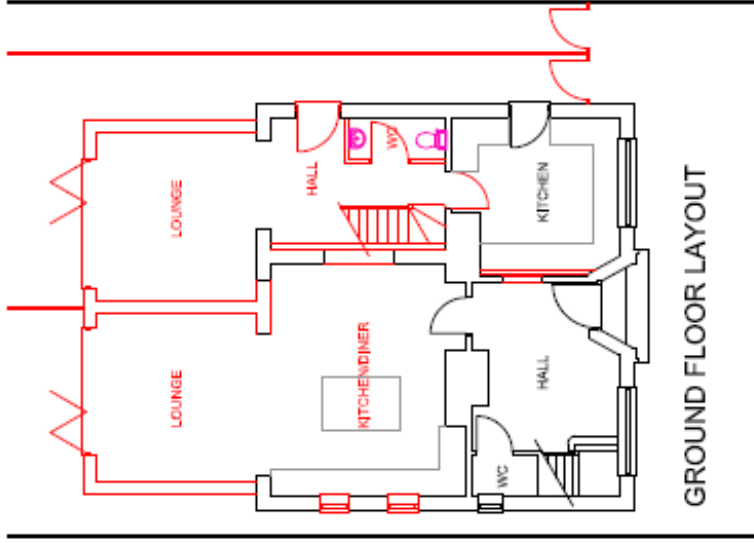
ROOF LAYOUT



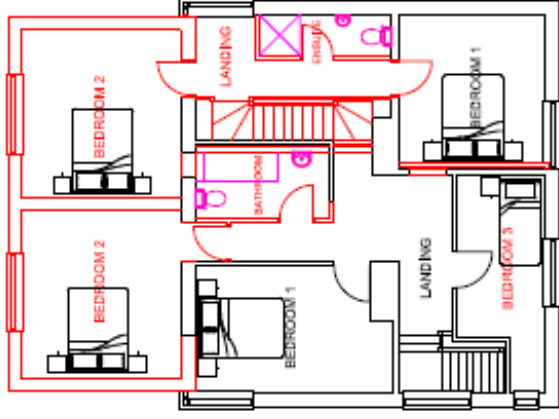
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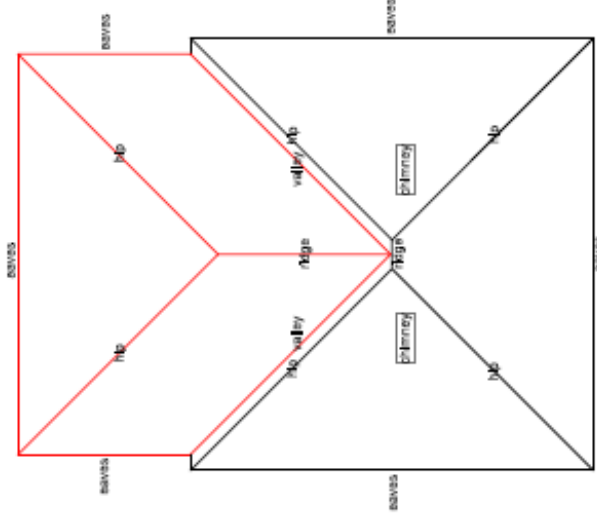
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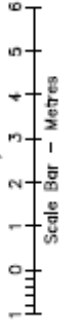
GROUND FLOOR LAYOUT



FIRST FLOOR LAYOUT

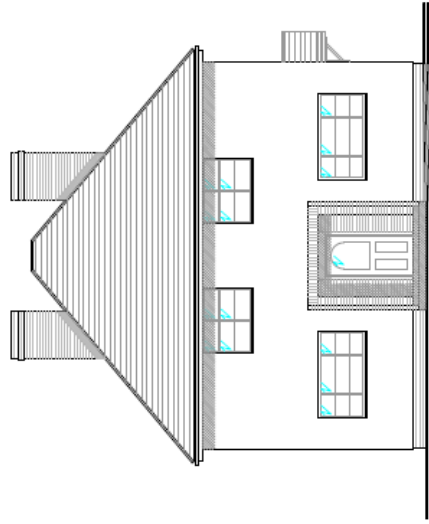


ROOF LAYOUT

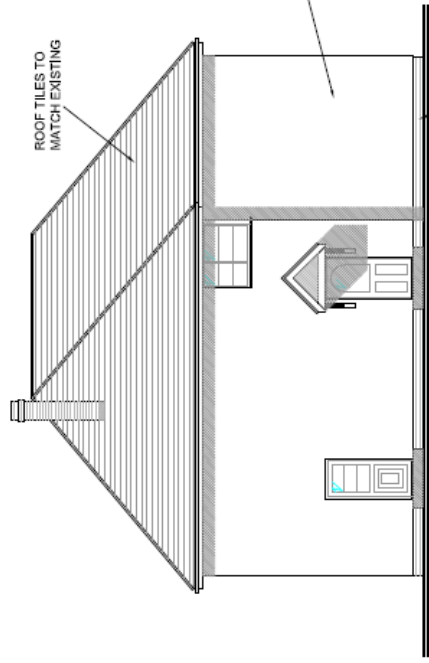


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		CONSULTANT

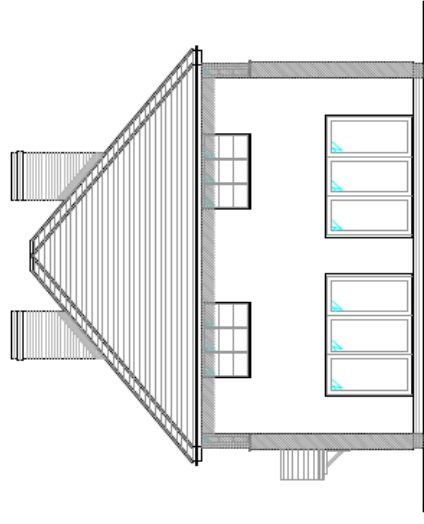
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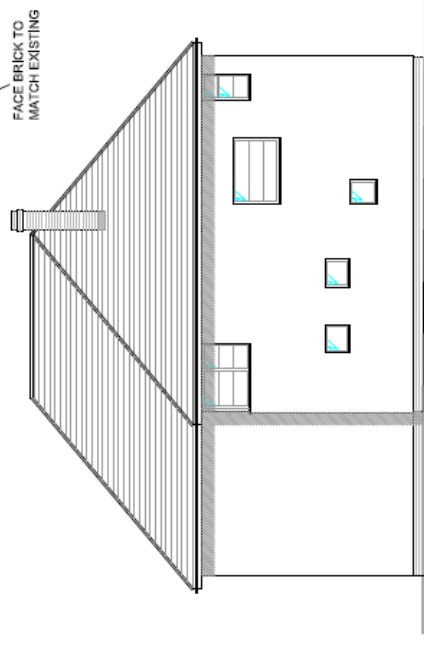
FRONT ELEVATION



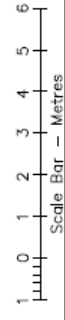
SIDE ELEVATION



REAR ELEVATION



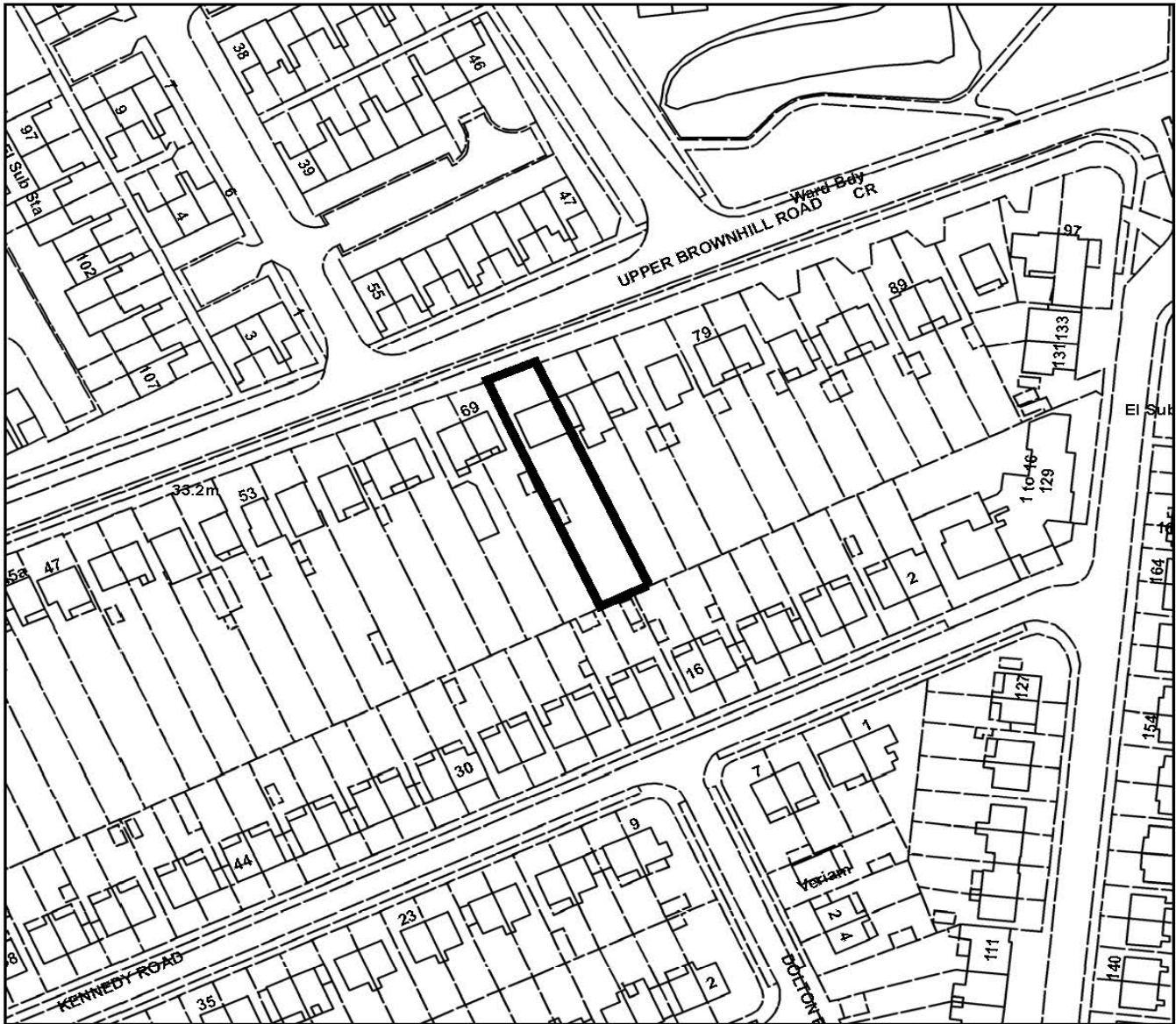
SIDE ELEVATION



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