

**Planning, Transport & Sustainability Division**  
**Planning and Rights of Way Panel 31<sup>st</sup> January 2017**  
**Planning Application Report of the Service Lead; Infrastructure, Planning and Development**

<b>Application address:</b> 12 Russell Place, Southampton			
<b>Proposed development:</b> Erection of a first floor rear extension and enlargement of rear dormer window.			
<b>Application number</b>	16/01869/FUL	<b>Application type</b>	FUL
<b>Case officer</b>	Matt Griffiths	<b>Public speaking time</b>	5 minutes
<b>Last date for determination:</b>	26/12/2016	<b>Ward</b>	Portswood
<b>Reason for Panel Referral:</b>	More than five letters of objection have been received	<b>Ward Councillors</b>	Cllr Savage Cllr O'Neill Cllr Claisse

<b>Applicant:</b> Mr N Ahmed	<b>Agent:</b> Les Weymes Planning Consultancy Ltd
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<b>Recommendation Summary</b>	<b>Conditionally approve</b>
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<b>Community Infrastructure Levy Liable</b>	<b>No</b>
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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. Policies - SDP1, SDP7, SDP9, HE1 and HE2 of the City of Southampton Local Plan Review (March 2006), and CS13 and CS14 of the Local Development Framework Core Strategy Development Plan Document (January 2010) and the Portswood Residents' Gardens Conservation Area Appraisal and Management Plan

<b>Appendix attached</b>			
1	Development Plan Policies		

**Recommendation in Full**  
**Conditionally approve**

## **1. The site and its context**

- 1.1 The property is a large detached two-storey dwelling house located within the Portswood Residents' Gardens Conservation Area.

## **2. Proposal**

- 2.1 The application proposes two first floor rear extensions, located either side of an existing terrace at first floor level, above a single storey rear extension; the terrace and single storey extension were previously granted under planning permission 07/00832/FUL. The proposed extensions would have a gabled design with pebble dash render to match the existing dwelling with an overall height of approximately 8 metres from ground level and projection from the original rear wall of just under 3 metres. The proposals also include an alteration to increase the width of the existing dormer window situated within the roof of the property.

## **3. Relevant Planning Policy**

- 3.1 The Development Plan for Southampton currently comprises the "saved" policies of the City of Southampton Local Plan Review (March 2006) and the City of Southampton Core Strategy (January 2010). 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 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.
- 3.3 The Portswood Residents Garden Conservation Area Appraisal and Management Plan (here after referred to as the CAAMP) was produced following the adoption of policy CS14 of the Local Development Framework Core Strategy in 2010.

## **4. Relevant Planning History**

- 4.1 07/00832/FUL – Conditionally Approved 08/11/2007  
Erection of a rear extension with terrace on first floor and erection of a double garage following demolition of the existing garage and rear extension.
- 4.2 08/00234/FUL – Refused 10/04/2008  
Erection of a rear extension with terrace on first floor and erection of a double garage following demolition of the existing garage and rear extension.
- 4.3 08/01124/FUL – Refused 17/10/2008, Appeal Dismissed 24/02/2009  
Proposed amendment to roof terrace previously approved (ref. 07/00832/FUL)
- 4.4 09/00951/FUL – Conditionally Approved 21/12/2009  
Replacement window to front and side (part retrospective)
- 4.5 10/01049/FUL – Refused 13/09/2010  
Application for removal of Condition 1 of planning permission ref. 09/00951/FUL relating to colour and finish of new windows.

## **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 (18.11.2016) and erecting a site notice (15.11.2016). At the time of writing the report **22** representations have been received from surrounding residents, the local Residents Association and Cllr O'Neill. The following is a summary of the points raised:

5.2 ***The extensions would represent an overdevelopment of the site***

### 5.3 **Comment**

The footprint of the dwelling would not change as a result of the proposals. The scale and mass of the dwelling would increase, however taking into account the property in relation to the plot, and that only limited views of the extensions would be possible, it is considered that the proposals do not constitute an overdevelopment of the site.

5.4 ***The proposals would be out of character with neighbouring properties and the Conservation Area***

### 5.5 **Comment**

Whilst the introduction of two gabled extensions would represent an introduction of differing design to the property, the extensions will only be visible from a distance within the Residents' Gardens. There are properties of differing design within the street, most notably 8 Russell Place. Furthermore, gabled bays are not unusual features within the Conservation Area. As such the extensions proposed are considered to preserve the character of the Conservation Area. In response to the comments of the SCC Historic Environment Officer amended plans have been submitted reducing the size of the left of the two windows.

5.6 ***The extensions would result in a loss of light and overshadowing to neighbouring properties***

### 5.7 **Comment**

The separation distance between the dwelling and 10 Russell Place to the south is 4.5m, a distance that is not considered to result in overshadowing or a loss of light. As 14 Russell Place is situated closer (approx. 1.5 metre gap to boundary) to the dwelling, it is accepted there may be an impact in terms of overshadowing to neighbouring amenity. However, the vegetation located on the boundary between the two will reduce this impact, and it is not considered that this is enough to warrant refusal of the application given that the majority of the garden will be unaffected by overshadowing for the majority of the day.

5.8 ***A change of use to three flats would be out of character with the Conservation Area and contrary to PRG 1 of the CAAMP***

### 5.9 **Comment**

The reference to three flats within the Design and Access Statement was an error and not intended to be included, an amended document has been submitted removing this. The application relates to a family home.

## 5.10 Consultation Responses

5.11 **SCC Trees** - No objection.

5.12 **SCC Historic Environment** – This proposal will increase the height of the existing rear extension, but there will be no increase in the building footprint. The key changes proposed will be the proposals to introduce substantial areas of glass to the rear, which will be visible from the adjacent Residents Gardens. The existing rear dormer will also be widened slightly.

The application states that the side elevations of the proposed extension will be pebble-dashed to match the existing. Unless great care is taken in choosing the colour of the underlying cement, the flanks would look two-toned, which would fail the test set out in the Planning (Listed Buildings and Conservation Areas) Act 1990 to preserve or enhance the character and appearance of the conservation area. It may be necessary to apply tinting techniques to ensure a colour match between the old and new render.

It is considered that the new windows at first floor would be over large, and would be dominant features when viewed from the Residents Gardens. The windows will need to be reduced in size to conform with windows on the front elevation of the building (although it would not be a requirement that they be of the same material).

The relevant policy within the Conservation Area Appraisal and Management Plan is reproduced below:

### PRG 2 Redevelopment and Extension of Existing Buildings

Any development proposals for the whole or partial demolition, redevelopment and/or extension of existing buildings must conform with the special characteristics of the Conservation Area set out in the Conservation Area Appraisal. These characteristics include the following: the historic layout and pattern of development in the area; the established building lines; building to plot ratios; the height, mass and scale of the buildings; plot boundaries; the distances between buildings, and the verdant spaciousness integral to the appearance and character of the Conservation Area. Any such proposals must address the detailed design criteria contained in the Core Strategy and those in this Management Plan. The Council's Core Strategy Policy CS14 seeks to safeguard conservation areas in the city from inappropriate development and to enhance their character. In addition, any proposals that will result in the net loss of family dwellings will be considered against Policy CS 16 of the Core Strategy.

While the development proposal will increase the height and mass of the rear of the property, subject to appropriate materials being used and changes to the form and size of the windows, it will comply with all other criteria.

Consideration must also be given to the appeal decision for 3 Abbott's Way (appeal reference APP/D1780/A/12/2171564). This appeal was against the Council's decision to refuse permission for a two-storey side extension. In his decision the Inspector wrote:

*Criticism has been made of the scheme because it would represent a further incremental increase in the size of the building which has been extended and altered in various ways in the past. However, the size of the plot and its frontage*

*width are large compared to many properties on the estate as a whole and the ratio of building footprint to open site in terms of coverage, even with the extension in place, would not be excessive, in my conclusion.*

*Along the frontage to Abbotts Way distances between the flank sides of buildings vary considerably. The size of the undeveloped gap currently existing between Nos 3 and 5 is unusual and greater than is present in other locations, particularly those separating the buildings on the opposite side of the road.*

*The residual measure of separation between the opposing flank walls of the adjacent houses that would be created with the extension in place would be consistent with, or more than, that present in many other locations. Despite the greater frontage width of the appeal property compared to others within the vicinity, the character and appearance of the streetscene would not be unduly compromised. A reasonable gap between buildings would be maintained, preserving the special character of the area in an adequate way.*

The proposed extension will be visible from the public highway when passing the host property, and the house is visible from the Residents Gardens. The view from the Residents Gardens is largely screened by the existing mature trees, and is hidden for most of the year.

It is therefore my view that, while harm is caused by the proposals it is less than significant harm, and that, subject to the changes noted above being implemented, a refusal on the grounds of the impact on the character and appearance of the conservation area would be difficult to defend at appeal. Notwithstanding this there may be other issues (such as overlooking or overshadowing) that will need to be addressed in reaching a balanced judgement. If the changes are not made, there would in my view be reasonable grounds for refusal.

- 5.13 **City of Southampton Society** - No objection in principle so far as the public interest is concerned. But this house is in the conservation area. Any overlooking from the first floor would be unacceptable. The alterations would need to be in character for the house and the area. It is unclear how the building is occupied. Is it flats? Is the proposal to make it into flats, in which case the proposal is opposed. Though big, the house should be a family house, in keeping with the area.

## **6. Planning Consideration Key Issues**

- 6.1 The application needs to be assessed in terms of the design and impact on the character of the Conservation Area and the impact on residential amenity.

### **6.2 Design and Impact on the character of the Conservation Area**

- 6.2.1 Policy CS14 of the Core Strategy requires Conservation Areas to be protected from inappropriate development and for opportunities to enhance the character of Conservation Areas to be taken. The CAAMP details a strategy for preserving and enhancing the Conservation Area; within this, PRG2 is of particular relevance, requiring that the alteration and extension of existing dwellings respect the established characteristics of the Conservation Area.

- 6.2.2 The rear extensions at first floor level will not result in an increased footprint of the dwelling, as such, many of the requirements of PRG2 are conformed to. The extensions would result in an increase of the mass and the scale of the building to

the rear of the property, following the previous addition to the property granted permission in 2007. The additions are not, however, considered to result in an excessive increase in the mass and scale of the property, given the subordinate nature of the additions and the limited rearward projection. The alterations are designed to appear as modern gabled bay windows and, as noted, gabled bay windows are a common feature within the area. The NPPF notes that the planning system should not attempt to impose architectural styles or tastes on new development (para 59) and so, a more modern approach to the windows is acceptable. Similarly, the Residential Design Guide encourages design that modernises vernacular features. Furthermore, it is important to note that the individual design and style of properties within the Conservation Area varies, with the spatial characteristics of the area being the key unifying part of the character. As such, the design approach is considered to preserve the character of the Conservation Area.

- 6.2.3 Whilst the dwelling is large, the extensions would only be partially visible from Russell Place along the side elevation when passing the property. The extensions would also be visible during winter months from the Residents' Gardens to the rear, however would be screened by existing mature trees when these are in leaf. It is, however, not considered that the increase in size of the dwelling or dormer window would adversely impact on the character of the Conservation Area to the extent that a refusal of the application is warranted.

### 6.3 Impact on Residential Amenity

- 6.3.1 The extensions would project 2.929m in depth from the first floor rear wall. The greatest potential impact from the development would be to neighbouring property 14 Russell Place. The extension would be located approximately 1.5m from the boundary between the two properties; this presence at first floor will likely have an impact on the access to light that certain parts of the garden benefit from. However the boundary is well populated with established vegetation that provides strong screening and will reduce this impact, and it is considered that the neighbouring property will still enjoy a good level of outlook and daylight for the majority of the day. Furthermore, the subordinate roof design that pitches away from the boundaries with the neighbouring properties also minimises the impact of the works on the neighbouring occupiers. It is also important to note that the Residential Design Guide advises that where development is proposed close to the boundary of a garden, where a neighbouring garden area is large and enjoys outlook in a number of directions, other than the land being developed, the impact on the garden will be less acute.
- 6.3.2 There is a greater separation distance of approximately 4.5m between the host dwelling and the neighbouring property to the south 10 Russell Place. This distance will ensure that there the additions will not have a harmful impact on residential amenity. Furthermore the widening of the dormer window is not considered to result in further overlooking than that which is already possible as existing.

## 7. Summary

- 7.1 The proposed additions are considered to preserve the character of the Conservation Area and would not have a harmful impact on residential amenity.

## 8. Conclusion

8.1 Subject to the imposition of the suggested conditions attached to this report, the proposal would be acceptable. The application is therefore recommended for 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(f), 4(o), 6(a), 7(a),

**MG for 31/01/2017 PROW Panel**

**PLANNING CONDITIONS**

01. Full Permission Timing Condition (Performance 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 (Performance Condition)

The materials and finishes to be used for the external walls, 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. Approved Plans (Performance Condition)

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 - (January 2010)

CS13 Fundamentals of Design  
CS14 Historic Environment

City of Southampton Local Plan Review – (March 2006)

SDP1	Quality of Development
SDP7	Urban Design Context
SDP9	Scale, Massing and Appearance
HE1	New Development in Conservation Areas
HE2	Demolition in Conservation Areas

Supplementary Planning Guidance

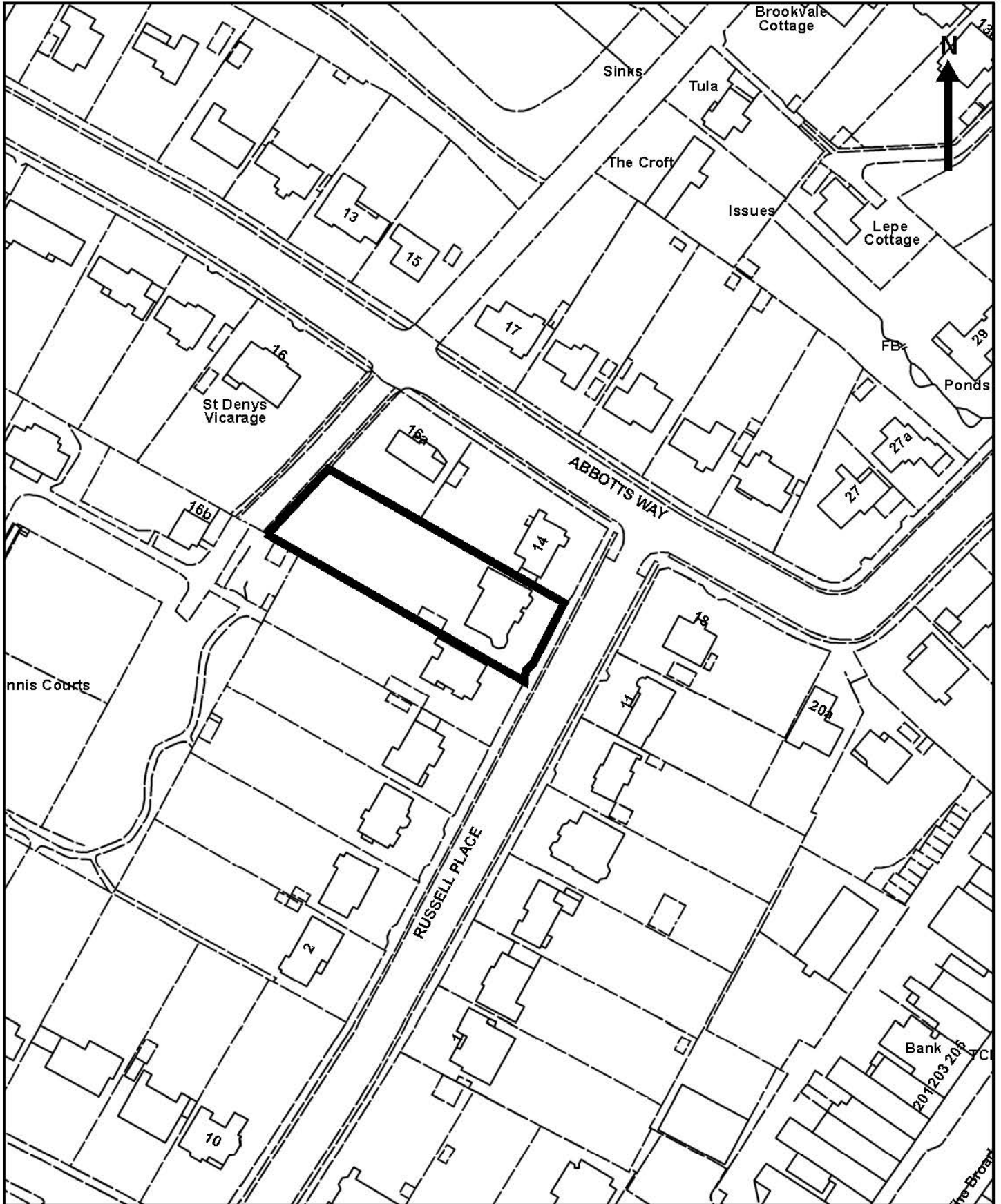
Residential Design Guide (September 2006)  
Portswood Residents Garden Conservation Area Appraisal and Management Plan  
(PRG2, PRG5, PRG9, PRG11)

Other Relevant Guidance

The National Planning Policy Framework (March 2012)



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Scale: 1:1,250

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