

Planning and Rights of Way Panel 20th February 2018
Planning Application Report of the Service Lead – Infrastructure, Planning and Development

Application address: 4 Primrose Road, Southampton			
Proposed development: Erection of part single storey, part two-storey rear extension (retrospective)			
Application number	17/01669/FUL	Application type	FUL
Case officer	Amber Trueman	Public speaking time	5 minutes
Last date for determination:	21.11.2017 ETA	Ward	Bassett
Reason for Panel Referral:	Request by Ward Member	Ward Councillors:	Cllr B Harris Cllr L Harris Cllr J Hannides
Referred to Panel by:	Cllr B Harris	Reason:	Overbearing, out of scale, out of character for the area and non-compliance with the conditions of application ref. 16/00346/FUL

Applicant: Mr Sihota	Agent: Sanders Design Services Ltd
-----------------------------	---

Recommendation Summary	Conditionally approve
-------------------------------	------------------------------

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, SDP9 and H4 of the City of Southampton Local Plan Review (Amended 2015) and CS13 CS16 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015), the Residential Design Guide (September 2006) and the relevant sections of the HMO Supplementary Planning Document (amended May 2016).

Appendix attached			
1	Development Plan Policies		

Recommendation in Full

Conditionally approve

1. The site and its context

- 1.1 The application site is a two-storey, semi-detached dwellinghouse located on the eastern side of Primrose Road. At present, the property is in lawful use as a 5-bed C4 House in Multiple Occupation (HMO).
- 1.2 The property currently comprises a front-facing bedroom, lounge/kitchen, shower room and rear-facing bedroom at ground floor level as well as 3 bedrooms and a bathroom at first floor level. The large lounge/kitchen space, shower room, ground floor rear-facing bedroom and the enlargement of one of the first floor rear-facing bedrooms have all been facilitated by the erection of a part single-storey part two-storey rear extension.
- 1.3 The property is located in a residential area characterised by two-storey, semi-detached houses, primarily with hipped roofs. The property also benefits from off-road parking for one car on the forecourt.

2. Proposal and Planning Background

- 2.1 On 26/09/2016 permission was granted for a part single-storey, part two-storey rear extension to the property which would also enable the number of occupants to 5 (Ref. 16/00346/FUL). The single storey section of the proposal was not built to the approved plans and now has a 0.7m increased eaves height, smaller ground floor rear-facing windows and the rear door to the garden has been relocated. In addition, due to the colour of the guttering and render, the extension does not meet condition 4 of the consent which requires matching materials to the original dwelling. As such, additional planning consent is now required for the development to be deemed lawful and the changes to be regularised.
- 2.2 In light of the above, the current application seeks retrospective planning approval for the part single-storey, part two-storey rear extension as built; although the Panel will note that the previous approval and the extent of those works form a significant material consideration. As such, only the changes between that approved, and then built are, are relevant to the Panel's deliberations.
- 2.3 It is noted that the established use of the property is a 5-bed HMO. The current proposal does not alter this use and, therefore, the use of the property should not be considered further. In addition, due to the previous grant of application reference 16/00346/FUL, the only considerations to be made will be whether the change of materials, increased eaves height or altered windows and door of the single storey section present any visually harm or detrimental impact to residential amenity.

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 On 26th September 2016 permission was granted for a part single-storey, part two-storey rear extension to facilitate the relocation the kitchen to create an additional bedroom to the rear, a new shower room off of the lobby and enlargement of one of the existing first floor rear facing bedrooms (Ref. 16/00346/FUL).
- 4.2 As aforementioned, the approved scheme was not built out as per the approved plans therefore the extension now requires further planning permission to be granted in order for the development to be deemed lawful. As such, the current application is seeking full planning approval for the part single-storey, part two-storey extension as completed.

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 **3 representations** have been received from surrounding residents including a Panel referral request from ward councillor B Harris. The following is a summary of the points raised:
- 5.2 **The roof that has been built has a pitch of approximately 4 degrees, essentially a flat roof from an architectural standpoint, and looks completely out of place with the pitch of the rest of the extension and the rest of the house.**

Response:

It is accepted that the roof of the single storey part of the built extension is close to flat. However, it is not unusual for flat-roofed single storey rear extensions to be built providing they are of an appropriate size and do not present harm to neighbouring residents. Considering its modest depth and that 6 Primrose Road already has a rear extension of a similar depth, the single storey part of the development is judged to be acceptable and unlikely to cause any significant harm to neighbouring residents. Moreover, though the design is not as favourable as the previously approved, the slight alteration to the eaves height and roof of the single storey section of the extension is thought to have a limited impact to the character of the host property and is therefore permissible in this situation.

- 5.3 **I also question whether the relevant building standards have been met as many tiles have a minimum pitch requirement greater than 10 degrees to guarantee water tightness.**

Response:

This comment relates specifically to building regulations and is therefore a query for Building Control rather than the Planning Department.

- 5.4 **The approved plans showed some attempt at respecting the scale of the existing house and limiting the impact on the outlook from my kitchen and upstairs bedroom; however, what has been built does not respect either. From my kitchen, which Section 2.2.12 of the Residential Design Guide classifies as a habitable room, and upstairs bedroom I can see this large, imposing and out of scale structure prominently in my sight line.**

Response:

With consideration towards the previously application (Ref. 16/00346/FUL) it is judged that the part single storey, part two storey extension as built is not significantly larger than what has already been approved. It is acknowledged that the eaves are higher and the pitch of the roof is far shallower, however the overall mass gained from these alterations is not considered to present detrimental harm above what was previously approved.

- 5.5 **With the extension as built, my kitchen feels significantly darker, as the view of clear sky has been significantly decreased, and my small (corner plot) rear garden feels hemmed in.**

Response:

The current application is only proposing minor alterations to the approved scheme (Ref. 16/00346/FUL), namely the materials, increased eaves and changes to the rear-facing windows and doors at ground floor level; neither or which have a visually harmful impact to neighbouring amenity. In light of this, the 0.7m increased eaves at ground floor is not judged to present significant harm above what has already been approved. The alteration is therefore deemed acceptable.

- 5.6 **The eaves height is greater than three metres and when stood in my rear garden the extension is overbearing.**

Response:

The current application is only considering whether the alterations to the approved scheme (Ref. 16/00346/FUL), namely the materials, increased eaves and changes to the rear-facing windows and doors at ground floor level have a visually harmful impact or harmful impact to neighbouring amenity. Due to its modest 1m depth, the 0.7m increase to the height of the eaves at single storey level, above what has already been approved, is not judged to have a significantly harmful impact on the neighbouring properties. The alteration is therefore deemed acceptable.

- 5.7 **...as the eaves height is greater than the existing extension present at Number 6 Primrose Road, this extension appears to tower above it – the extension as build clearly does not take into account the character of the area.**

Response:

With reference the previously approved scheme (Ref. 16/00346/FUL), the extension is not increasing in depth, the only alteration to impact the neighbours will be the 0.7m increase in the single-storey eaves height. Though the design is not as favourable as the previously approved, the alteration is not judged to present any significant harm to neighbouring amenity over and above what has already been approved.

- 5.8 **The development does not meet Section 2.3.2 of the Residential Design Guide as the increased single-story height makes the property look lopsided. From the plans, the Rear View demonstrates how jarring the increased eaves height and decreased roof pitch is by making the property look bottom heavy with a “squashed” top.**

Response:

See previous response

- 5.9 **The materials used fail to match the existing materials – black guttering has been used instead of white/grey and grey render has been used for the pebbledash instead of brown.**

Response:

It is accepted that the materials used in the construction of the extension do not identically match the original property. However, the colour of the guttering is thought to have a minor impact to the appearance of the overall property and the walls have been covered in pebble dash to match the original property. Though the colour of the render does not match exactly it is considered to have a close likeness to the existing and therefore does not present significant visual harm or harm to the residential amenity of the occupants or neighbouring residents.

- 5.10 **... conditions for approval of application 16/00346/FUL were laid out ...concerning boundary treatment and additional licensing scheme approval of standards appropriate to an increase from 4 to 5 tenants at the completion of the new construction. There is nothing to show that the owner acted on either of these conditions...**

Response:

The boundary treatment as specified within the previous approval has been installed and is detailed on the plans for the current application. The boundary treatment between the host property and 2 Primrose road is 1.8m close board fencing. With regards to additional licensing, this was not conditioned under the previous approval and is a separate matter for the Council's HMO Licensing team. The current application is not considering the use of the property.

6. **Planning Consideration Key Issues**

- 6.1 The determining issues for this application relate to whether the alterations to the approved scheme (Ref. 16/00346/FUL), namely the 0.7m increase of the single-storey eaves height, the change of materials, the reduction in size of the ground floor rear-facing windows and the relocation of the ground floor rear door, present any visual harm or harm to the residential amenity of the occupants or to neighbouring residents.
- 6.2 Principle of Development
- 6.3 It is firstly noted that the established use of the property is a small HMO (class C4) for up to 5 residents. The development does not make any internal changes beyond what was previously approved under application reference 16/00346/FUL and does not propose any change to the number of occupants. As such the use of the property is not being considered and the principle of the alterations to the previously approved extension are acceptable.
- 6.4 Impact on Residential Amenity
- 6.5 With regard to the increase of the eaves height above that approved in application ref. 16/00346/FUL, the additional 0.7m at single storey level is acknowledged to be a noticeable difference however, from the side of 2 Primrose road the section of the extension to increase only spans 1m and is therefore judged to have a minor impact to the residential amenity of the occupants of 2 Primrose Road. In terms of the impact to 6 Primrose Road, the extension has not increased in depth and already extends to a similar depth as that at the adjoining property. As such, the alteration to the eaves height will not be clearly seen unless in the rear garden of number 6, and it will not present any excessive overshadowing, particularly due to the north-east facing gardens.
- 6.6 It is also noted that the alterations to the windows and door will not be clearly visible from the neighbouring properties and are therefore judged to have a negligible impact to residential amenity. In terms of the impact to the amenity of the occupants of the host dwelling, the windows are still in proportion with those displayed on the original dwelling and will adequately serve the rooms in which they are situated. As such the amenity of the occupants will not be harmed as a result of the development.
- 6.7 In terms of the materials use, it is accepted that they do not identically match the original property. However, the colour of the guttering (black rather than the original white) is thought to have a minor impact to the appearance of the overall property. Similarly, though the colour of the render does not match exactly the pebble dash finish has been respected and overall the extension is considered to have a close likeness to the original property. As such, the materials and finish are not considered to present significant visual harm or harm to the residential amenity of the occupants or neighbouring residents.
- 6.8 Visual Impact

- 6.9 The increase of the height of the single storey eaves above that previously approved under application reference 16/00346/FUL is 0.7m. Considering the fact the extension is located to the rear of the property, this alteration is judged to have little visual impact in the streetscene. In addition to this, the section extended which can be viewed from number 2 Primrose Road it over 4m away from the rear of the dwelling and only spans 1m in depth when viewed from this side. From the side of 6 Primrose Road, who also have an extension of a similar depth, the extension is only clearly visible when stood in the rear garden facing back towards the property therefore the increase in eaves height will not present any significant impact. Consequently, the additional 0.7m eaves height of the single-storey section is not judged to be visually intrusive to the neighbouring residents.
- 6.10 As aforementioned, the changed materials, namely the black guttering and lighter coloured render are broadly respectful of the original dwelling and therefore will have little visual impact in the area.
- 6.11 Lastly, the reduction in the size of the rear facing windows and the relocation of the rear door will only be visible from the rear of the property. Due to this and that the new windows still respect the proportions of those featured on the original dwelling, the visual impact of the change will be negligible.

7. Summary

- 7.1 Despite the alterations to the previously approved scheme, the development is considered to have an acceptable impact in terms of its visual impact and the impact to residential amenity. To elaborate, though the design as altered is considered to be less favourable, the 0.7m increase in the eaves height of the single storey section, is minor and will not present significant harm in terms of its visual impact or the impact to residential amenity above and beyond what was already approved. In addition, though the materials used differ slightly from the original property, they are not considered to present any substantial harm to the host property or be visually harmful to others, particularly as the extension is located to the rear of the property and is not clearly visible in the streetscene. Finally, the new ground floor windows clearly match the proportions of those on the original property and are therefore deemed to be acceptable. Moreover, the relocation of the rear door has a negligible impact on the overall appearance of the extension.
- 7.2 Consequently, the scheme is judged to be acceptable and it is, therefore, recommended for approval.

8. Conclusion

- 8.1 Conditional planning approval should be given.

1(a), 1(b), 1(c), 1(d), 2(b), 2(d), 4(f) and 6(a)

AMBERT for 20/02/18 PROW Panel

PLANNING CONDITIONS

01. Number of occupiers

The number of occupiers at the property in connection with the development hereby permitted shall not exceed 5 persons.

Reason: In the interests of protecting the residential amenity of local residents from intensification of use and define the consent for avoidance of doubt.

02. Retention of communal spaces

The communal rooms as shown on the plans hereby approved (namely, the kitchen, lounge, bathroom and shower room) shall be retained for their purposes whilst the property is in use as an HMO.

Reason: In the interests of the living conditions of the occupiers of the HMO.

03. 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.

Application 17/01669/FUL

APPENDIX 1

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)

Houses in Multiple Occupation SPD (HMO SPD, 2016)

The adopted Bassett Neighbourhood Plan (2016)

Other Relevant Guidance

The National Planning Policy Framework (2012)