

**Planning, Transport & Sustainability Division
 Planning and Rights of Way Panel 25 June 2013
 Planning Application Report of the Planning and Development Manager**

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| Application address: 75 Bassett Green Close SO16 3QX | | | |
| Proposed development: Retrospective Permission For The Erection Of Two Storey Rear Extension Including A Juliet Balcony And Single Floor Side Extension, Alterations To Front Elevation, To Enable Garage To Be Used As Habitable Room (Description Amended Following Validation) | | | |
| Application number | 13/00299/FUL | Application type | FUL |
| Case officer | Stuart Brooks | Public speaking time | 5 minutes |
| Last date for determination: | 19.04.2013 | Ward | Bassett |
| Reason for Panel Referral: | Referred by the Planning and Development Manager | Ward Councillors | Cllr B Harris Cllr L Harris Cllr Hannides |

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| Applicant: Mr Sij Islam | Agent: Lakewood Contracts |
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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. In terms of the loss of parking, scale and massing and appearance, it is considered that the built extension does not adversely affect the amenity and character of the local area, or highway safety. 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 retrospective 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 (March 2006) and CS13 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

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| Appendix attached | | | |
| 1 | Development Plan Policies | | |

Recommendation in Full

Conditional Approval

1.0 The site and its context

- 1.1 This application site lies on the north side of Bassett Green Close to the south of Bassett Green Road, located in a residential street mainly consisting of large detached 2 storey properties.
- 1.2 The application contains a 2 storey detached dwelling in a spacious plot and large rear garden, with a number of protected trees to the rear.

2.0 Proposal

- 2.1 This application seeks retrospective permission for the erection of a two storey rear extension and single floor side extension, alterations to front elevation, to enable garage to be used as habitable room.
- 2.2 Amended plans were received to show the installation of a first floor Juliet balcony to the rear.

3.0 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 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.
- 3.3 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.

4.0 Relevant Planning History

- 4.1 There is no relevant planning history.

5.0 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. Following the receipt of amended plans, a 14 day reconsultation was carried out (01.05.2013). At the time of writing the report **17** representations have been received from surrounding residents. The material planning issues raised have been set out below:

5.1.1 Comment
Loss of light and privacy.

Response
See section 6.3 of the report.

5.1.2 Comment
French doors and lintels have been installed to build a balcony which is contrary to the plans. This will result in loss of privacy to neighbouring occupiers.

Response
Amended plans have been submitted to show that a Juliet balcony will be installed. The agent has confirmed that it has been installed and the lintels removed since carrying out a site visit. This will ensure there is no direct overlooking of the neighbour's garden.

5.1.3 Comment
The builders have caused damage to the road verges.

Response
This information has been forwarded to our Highways team to investigate further. It is outside the powers of the planning application to take enforcement action, which is dealt with by the Highways team.

5.1.4 Comment
Protected trees have been removed from the rear garden, leading to increased noise disturbance from traffic to the rear, and loss of amenity. Will result in overlooking of rear garden from 186 Bassett Green Road.

Response
The tree officer has raised no objection. The increased noise from traffic is a wider environmental issue which is out of the control of the planning application. The overlooking from the adjoining site is out of the control of the planning application as it does not directly relate to the built extension.

5.1.5 Comment
Loss of garage parking and increase in number of bedrooms will lead to on street parking problems.

Response
See section 6.4 of the report.

5.2 **SCC Highways** - No objection.

5.3 **SCC Trees** – No objection.

6.0 **Planning Consideration Key Issues**

6.1 The key issues for consideration in the determination of this planning application are:
-Principle of development
-Impact on the amenity and character of the local area

-Impact on highway safety

6.2 Principle of Development

In principle, an extension to a dwelling is acceptable, subject to it not adversely affecting the amenity of the local residents, and character and appearance of the local area.

6.3 Impact on the amenity and character of the local area

6.3.1 The proposed 2 storey rear extension projects 3m from the rear of the original dwelling with a separation distance of 2.4m to the common boundary of no. 73, and steps down to single storey level with a separation distance of 1.5m to the common boundary with no. 77 bounded by a large hedge.

6.3.2 The property is a large property in a spacious plot. The appearance of the front of the property has not changed, apart from the replacement of the garage door with a window which is considered to be in keeping with the original dwelling. The proposed extension is located to the rear, using 2 pitched gable ends to break down the overall scale and massing which appears subservient to the original dwelling.

6.3.3 The applicant has agreed to replace the balcony with a Juliet balcony, which will ensure there is no direct overlooking of the neighbouring gardens. Since the site visit, the applicant has confirmed that the Juliet balcony has been installed and the lintels have been removed. It is not an uncommon relationship for 2 storey properties to have a view across the back of the neighbour's gardens. In this instance, there is no direct overlooking of the area adjacent to the rearmost of their property which is considered to be the most private and useable parts.

6.3.4 Given the separation distance of the 2 storey element to the common boundary of no. 73 to the east, it is considered that there is no adverse impact on light and outlook serving the neighbouring occupiers. The 2 storey extension will not break the 45 degree code taken from the closest first floor habitable room rear windows of no. 77, and their windows in the side elevation do not serve habitable rooms. Furthermore, the single storey element adjacent to no. 77 has no adverse impact on the neighbouring occupiers.

6.4 Impact on highway safety following loss of garaged parking

6.4.1 The Highway Officer has raised no objection to the garage being converted, as the site has a forecourt which can accommodate at least 2 vehicles. The existing garage is measured at approx. 4.5m x 2.5m which is below our standards for a useable garage; therefore the garage will not count as parking according to our current parking policies. Furthermore, there are no concerns regarding removal of the garage causing a major detrimental impact on the public highway.

7.0 Summary

7.1 In summary, in terms of the loss of parking, scale and massing and appearance, it is considered that the built extension will not adversely affect the amenity and character of the local area, or highway safety.

8.0 Conclusion

- 8.1 In conclusion, the development is considered to have an acceptable impact which meets the requirements of the Council's policy and guidance and, therefore, can be 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(vv), 6(c), 7(a), 9(a), 9(b).

SB for 25/06/13 PROW Panel

PLANNING CONDITIONS

01. APPROVAL CONDITION - No other windows or doors other than approved [Performance Condition]

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any order amending, revoking or re-enacting that Order), no windows, doors or other openings including roof windows or dormer windows other than those expressly authorised by this permission shall be inserted in the development hereby permitted without the prior written consent of the Local Planning Authority.

Reason:

To protect the amenities of the adjoining residential properties

02. APPROVAL CONDITION - 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 - (January 2010)

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|------|---------------------------------|
| CS13 | Fundamentals of Design |
| CS18 | Transport: Reduce-Manage-Invest |
| CS19 | Car & Cycle Parking |

City of Southampton Local Plan Review – (March 2006)

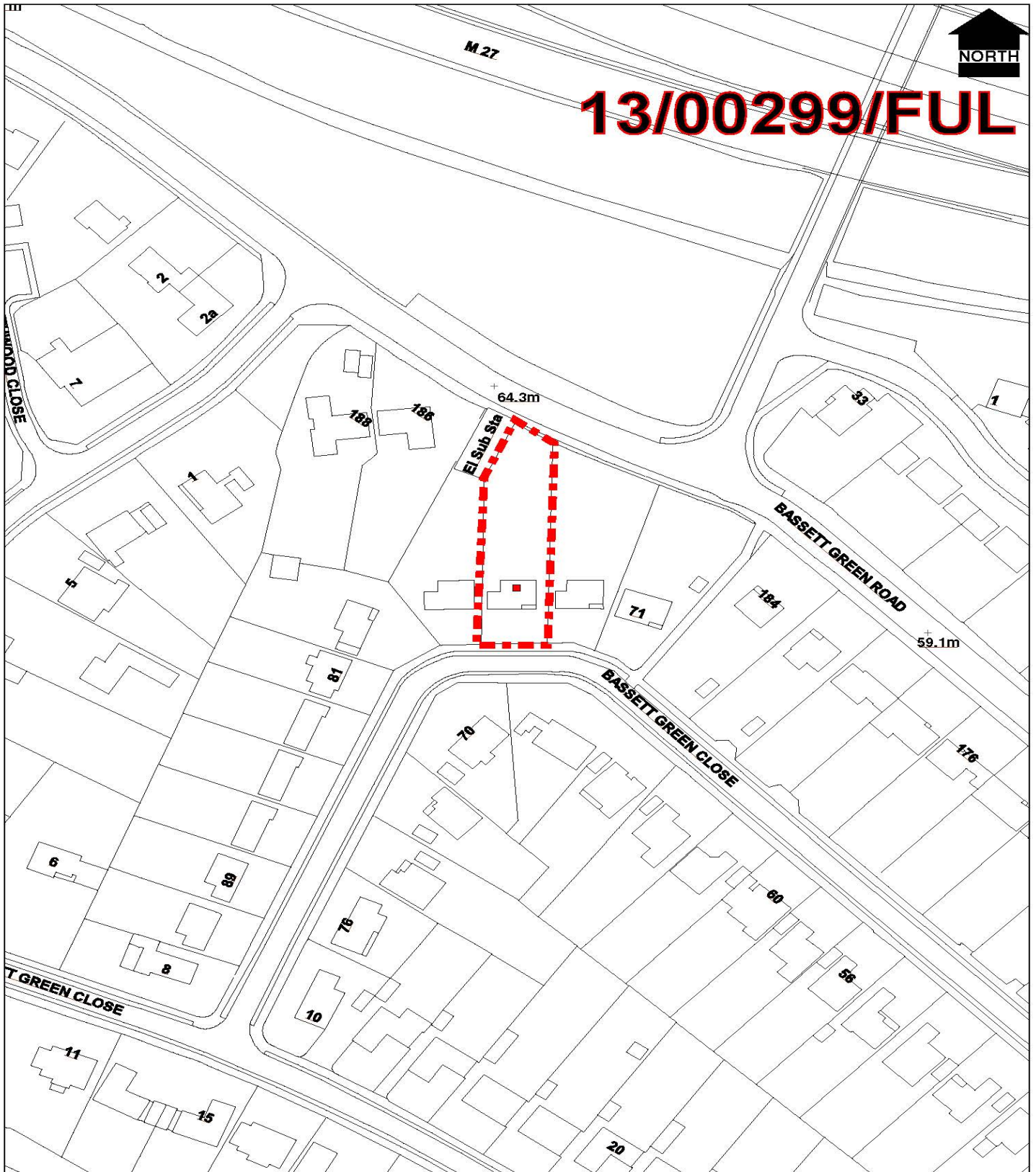
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|------|-------------------------------|
| SDP1 | Quality of Development |
| SDP7 | Context |
| SDP9 | Scale, Massing and Appearance |

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)
Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework 2012



Scale : 1:1250

Date : 12 June 2013

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