

**Planning, Transport & Sustainability Division**  
**Planning and Rights of Way Panel (East) 15<sup>th</sup> September 2015**  
**Planning Application Report of the Planning and Development Manager**

<b>Application address:</b> 47 Elmsleigh Gardens, Southampton			
<b>Proposed development:</b> Erection of a two-storey rear extension and conversion of garage to a study.			
<b>Application number</b>	15/01501/FUL	<b>Application type</b>	FUL
<b>Case officer</b>	Laura Grimason	<b>Public speaking time</b>	5 minutes
<b>Last date for determination:</b>	14/09/2015	<b>Ward</b>	Bassett
<b>Reason for Panel Referral:</b>	More than five letters of objection have been received	<b>Ward Councillors</b>	Cllr Les Harris Cllr Beryl Harris Cllr John Hannides

<b>Applicant:</b> Mr Michael Sunder	<b>Agent:</b> Hemis
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<b>Recommendation Summary</b>	<b>Conditionally approve</b>
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<b>Community Infrastructure Levy Liable</b>	<b>Not applicable</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. The proposed alterations would be acceptable in design terms and would not result in material harm to the character of the area or the residential amenities of any neighbouring occupiers. 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 of the City of Southampton Local Plan Review (March 2006) and CS13, CS19 of the Local Development Framework Core Strategy Development Plan Document (January 2010) as supported by the Residential Design Guide (September 2006) and the Emerging Bassett Neighbourhood Plan (June 2015).

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

<b>Recommendation in Full</b>	<b>Conditionally approve</b>
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## **1.0 The site and its context**

- 1.1 The application site is a two storey, detached dwelling house located on the northern side of Elmsleigh Gardens. There is an existing two storey side and rear extension at the property which has a hipped section fronting Elmsleigh Gardens with a flat roof section wrapping around the rear of the property. To the front, there is a large driveway which is accessed via an existing dropped kerb.
- 1.2 This part of Elmsleigh Gardens slopes downwards from east to west. As a result, the application site is at a slightly higher level than that of the neighbouring property at no.45a.
- 1.3 The surrounding area is residential in character. Properties along Elmsleigh Gardens tend to be large, detached dwelling houses with spacious rear gardens in addition to large front gardens and driveways.

## **2.0 Proposal**

- 2.1 The proposal seeks permission for a two storey rear extension. This would infill a gap between the rear elevation and the side elevation of the existing two storey rear extension. It would project outwards from the rear elevation of the main dwelling by approximately 2.6m. It would project outwards from the side elevation of the existing two storey extension by approximately 3.9m. It would have a flat roof measuring approximately 5.3m in height. This would extend the flat roof of the existing two storey rear extension. To the rear, a set of bi-folding doors would be established at ground floor level. No windows would be installed within the side elevation.
- 2.2 This proposal also seeks permission to convert the existing garage to a study / home office. This would entail the removal of the garage door and its replacement with a window matching that directly above at first floor level.

## **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 (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 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.

## **4.0 Relevant Planning History**

- 4.1 In 1975, conditional approval (ref.1496/M11) was granted for the construction of a two storey side and rear extension. There have been no other recent or relevant applications relating to the site.

## 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. At the time of writing the report **six** representations have been received (four from surrounding residents, one from the East Bassett Residents Association and one from Councillor Hannides). The following is a summary of the points raised:
- 5.2 *The proposed two storey rear extension would overshadow and block light from the first floor window within the side elevation of no.45a Elmsleigh Gardens. The kitchen / dining room of this neighbouring property is already poorly lit.*

### Response:

A thorough assessment has been undertaken to ascertain the impact of the proposed extension on the adjoining property at no.45a Elmsleigh Gardens. This involved a site visit to both the application site and this neighbouring property. The first floor window is obscure glazed and does not therefore, benefit from good outlook and, being located to the side of the property, also does not benefit from good access to light at the current time. Furthermore, this window does not appear to serve a habitable room. No further loss of light or outlook is likely to occur for this window as a result of this proposal. With regards to the kitchen and dining room at ground floor level, the large windows within the rear elevation would continue to provide sufficient outlook and access to light for these. The relatively small window and door within the side elevation are secondary to these and the proposed extension is not considered likely to worsen the existing poor arrangement. Having regard to this, the proposed two storey extension is not considered to be detrimental to residential amenity in terms of loss of light or outlook.

- 5.3 *The proposed garage conversion would lead to additional demand for on-street parking in an area which is regulated by a Residential Parking Scheme. This would in turn, lead to a highway safety issue given the proximity of the application site to a curve in the road.*

### Response:

The applicant could undertake the garage conversion (including the installation of a new window flush with the front elevation) as permitted development. Due regard must be afforded to this fallback position. Furthermore, there is a large driveway to the front of the property which would continue to satisfy the parking requirements of the property. This proposal is not therefore, considered likely to increase parking demand in the area or have an adverse impact in terms of highway safety.

- 5.4 *The proposed works could potentially facilitate the use of the property as a HMO in the future.*

### Response:

The lawful use of the property is as a dwelling house within Class C3. This application does not seek to change the use of the property to an HMO. Concerns relating to the potential use of the property as an HMO do not form material planning considerations in this instance as this is not what is being

applied for. Planning permission would be required to use the property as an HMO and such an application would be determined on its own planning merits.

- 5.5 *The proposed two storey extension would be harmful to the character of the area.*

Response:

The proposed two storey extension would be located to the rear of the property and would not be overly visible from the wider street scene. It would be relatively modest in scale and would be of a style which would be in keeping with that of the existing property. It is not considered to be harmful to the character of the area.

**6.0 Planning Consideration Key Issues**

- 6.1 The determining issues for this application relate to the design of the proposed alterations in addition to the impact on the residential amenities of any neighbouring occupiers.

6.2 Design

- 6.2.1 The proposed two storey rear extension would enlarge an existing two storey projection at the rear of the property. It would be relatively modest in scale and would infill the area between the rear and side elevation. Its location to the rear of the property would ensure that it would not be overly visible from the wider street scene, subsequently minimising its impact on the character and appearance of the surrounding area.
- 6.2.2 The roof of the proposed extension would link in with the flat roof of the existing two storey rear projection. It would remain lower than the roof of the main dwelling house and would subsequently be a subordinate addition to the property.
- 6.2.3 The proposed extension would be constructed using materials to match those of the existing dwelling house. It would be of an appropriate style and scale in relation to both the recipient dwelling house and the surrounding area and would therefore, be considered acceptable in design terms.
- 6.2.4 The proposed garage conversion would entail the installation of a new window at ground floor level. The proportions of this window would match those of a similar window directly above at first floor level. This would result in an appropriate pattern of fenestration which would be in keeping with both the recipient property and the wider street scene. As such, this element of the scheme is considered to be acceptable in design terms.

6.3 Residential Amenity

- 6.3.1 The existing two storey projection at the side and rear of this property would effectively screen the proposed extension from the neighbouring property at no.49 Elmsleigh Gardens. As such, this proposal would not have a harmful impact on this neighbouring property.

6.3.2 There is a single window at first floor level within the side elevation of no.45a Elmsleigh Gardens. This is obscure glazed and located immediately opposite the side elevation of the application site. It doesn't appear to serve a habitable room and doesn't benefit from good outlook or access to light at the current time. Having regard to this, in addition to the relatively modest scale of the proposed extension, this proposal is not considered likely to have an adverse impact on this neighbouring window in terms of loss of light, loss of outlook or overbearing impact.

6.3.3 At ground floor level, there is a window and a door within the side elevation of this neighbouring property. These serve a kitchen and dining room. The main windows for the kitchen and dining room are located within the rear elevation and face out into the rear garden. These windows provide a sufficient outlook for these two rooms. The door and window within the side elevation are secondary to the main windows within the rear elevation and do not provide any significant additional outlook given their proximity to the common boundary (approximately 1.5m away). Having regard to this, the proposed extension is not considered to result in any further loss of outlook for these two rooms.

6.3.4 It is acknowledged that access to light for the kitchen and dining room within the neighbouring property at no.45a is relatively poor. These rooms are fairly dark given their orientation to the north. The main access to light for these rooms is from the windows within the rear elevation which face out into the rear garden. The door and window within the side elevation of this property do not currently add a great deal in terms of light availability for these rooms as they already face out onto the side elevation of the application site. Having regard to this, it is not considered that the additional built bulk from this proposal would result in an unacceptable loss of light for the occupiers of this neighbouring property.

## **7.0 Summary**

7.1 This proposal is considered to be acceptable in terms of design and residential amenity.

## **8.0 Conclusion**

8.1 As such, the proposal is judged to have an acceptable impact and, therefore, can be supported for conditional 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), 3(a), 6(a), 6(b), 7(a).

### **LG for 15/09/15 PROW Panel**

### **PLANNING CONDITIONS**

1. APPROVAL CONDITION - Full Permission Timing Condition - Physical works

The development works hereby permitted shall begin not 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).

## 2. 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.

## 3. APPROVAL CONDITION - Materials to match [Performance Condition]

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 building.

## 4. APPROVAL CONDITION – Limitations on Use of the Garage [Performance Condition]

The converted garage, shown on the approved plans as a study, utility area, w.c and kitchen, shall only be used for accommodation ancillary to the enjoyment of the main house and not form annexe living accommodation unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To enable the Local Planning Authority to control the development in the interests of residential amenity and the character and appearance of the area.

**POLICY CONTEXT**

Core Strategy - (as amended 2015)

CS13            Fundamentals of Design  
CS19            Car & Cycle Parking

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

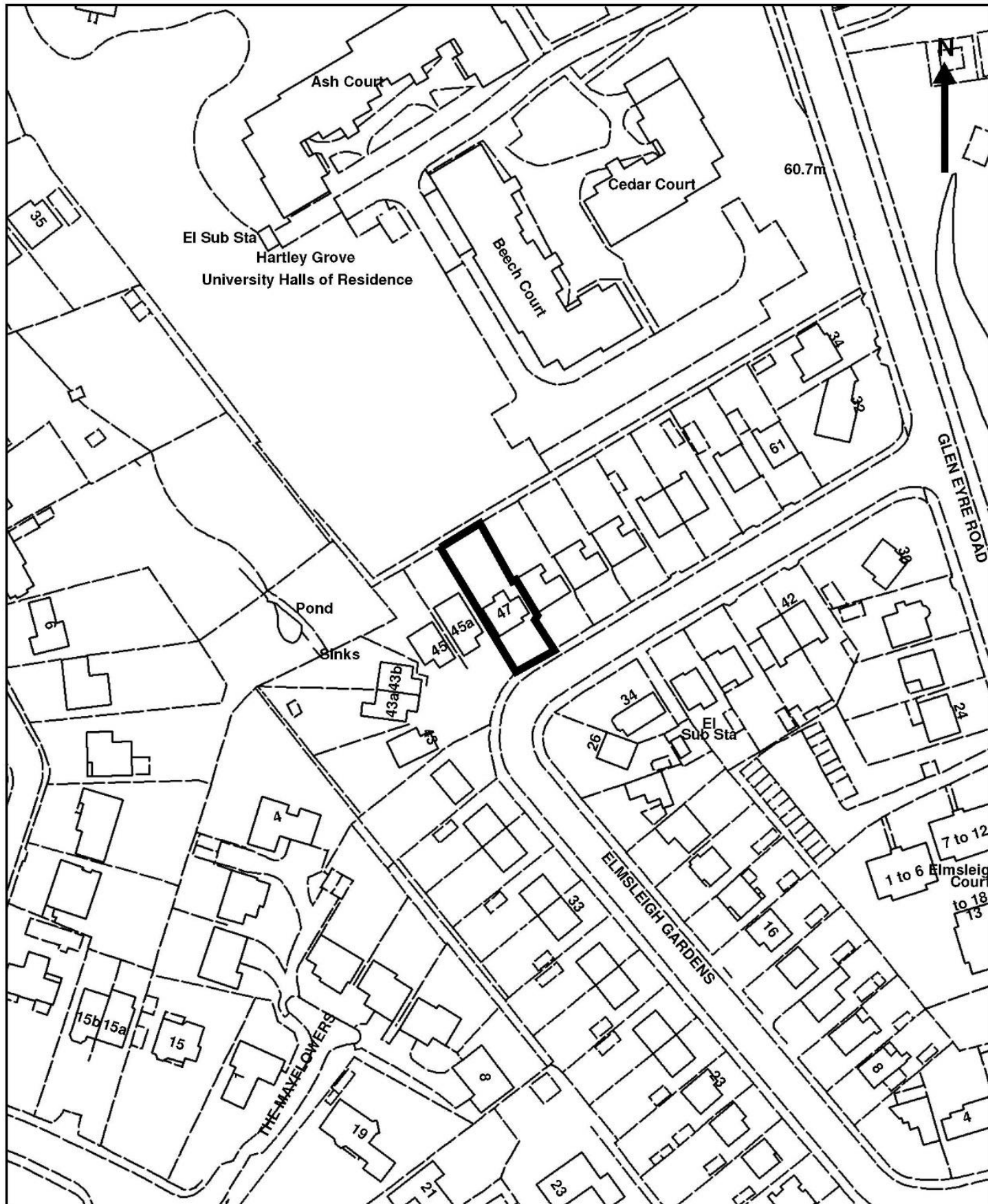
SDP1           Quality of Development  
SDP7           Urban Design Context  
SDP9           Scale, Massing & Appearance

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)  
Parking Standards SPD (September 2011)  
Emerging Bassett Neighbourhood Plan (June 2015)

Other Relevant Guidance

The National Planning Policy Framework (2012)



Scale: 1:1,250

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