

Southampton City Planning & Sustainability
 Planning and Rights of Way Panel meeting 20th July 2010
 Planning Application Report of the Head of Division

Application address: 4 Hartley Avenue, Southampton
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Proposed development: Erection of a single storey rear extension and two storey side extension
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Application number	10/00497/FUL	Application type	FUL
Case officer	Bryony Giles	Public speaking time	5 minutes

Applicant: Mr A Purewal	Agent: BPS Design Consultants Ltd
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Recommendation Summary	Conditional Approval
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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 scale and massing of the extensions are proportionate to the scale and appearance of the existing dwelling and its neighbours and are not considered to harm the residential amenity of neighbouring dwellings. The property is currently in use as a C4 dwelling. The addition of two bedrooms within the property accords with the requirements of the property remaining in use as a C4 dwelling. 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.

'Saved Policies' - SDP1, SDP7 and SDP9 of the City of Southampton Local Plan Review Adopted March 2006 as supported by the adopted LDF Core Strategy (2010) policies CS13, CS16, and the Council's current adopted Residential Design Guide.

Appendix attached			
1	Development Plan Policies		

Recommendation in Full

Conditionally Approve

1.0 The site and its context

1.1 The application relates to an existing detached two storey dwelling house located on the east of Hartley Avenue. The surrounding area is predominately residential other than for Southampton University (Highfield Campus), which is located just 40m from the application site at its closest point.

1.2 The property has a 25m long rear garden which is well screened by established vegetation to its side and rear. The property has a modest lean to conservatory and detached garage to its rear.

1.3 The existing building is in use as a C4 rental property currently housing 4 tenants. It has been confirmed that this use was in operation prior to the 6th April 2010 and as such the owner can lawfully house up to 6 unrelated tenants at any one time, without requiring any further planning consents.

2.0 Proposal

2.1 Planning permission is sought for a two storey side and single storey rear extension.

2.2 The two storey side extension is set back from the front build line of the property by 3.6m and has a depth of 2.8m.

2.3 The single storey rear extension proposes a depth of 3.8m and a height of 4m. Windows are concentrated to the rear of the site, with external side access retained.

3.0 Relevant Planning Policy

3.1 The Development Plan for Southampton currently comprises the South-East Plan: Regional Spatial Strategy (May 2009), 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 policies in the Core Strategy and the Local Plan Review seek to improve the quality of life of the City’s citizens through good design. CS13, SDP1, SDP7, SDP9 in particular expect developments to be of a high quality, protect the amenities of the occupiers of adjacent land and respect the surroundings in terms of visual impact.

3.3 Policy CS16 seeks to control the number and location of Houses in Multiple Occupation (HMO’s) where planning permission is required.

4.0 Relevant Planning History

None relevant for this site.

Members should be aware that there is an application on the current Panel agenda for the adjacent property at 6 Hartley Avenue: Application for Single storey rear/two storey side extension to existing 4 bed HMO (C4 Use) to provide to additional bedrooms (10/00566/FUL).

5.0 Consultation Responses and Notification Representations

Following the receipt of the planning application a publicity exercise in line with department procedures was also undertaken which included notifying adjoining landowners. At the time of writing the report **5** representations have been received from surrounding residents. Planning related concerns are as follows.

5.1 Concern with regard to the impact of the development on the local environment, privacy of neighbouring dwellings and the appearance of the house.

Response

The proposed extension is subordinate to the existing dwelling and has been assessed as not adversely affecting the character of the street scene. To the rear, the single storey extension concentrates all windows within its rear elevation. There are no windows proposed within the side elevation of the two storey extension and a 1.8m high existing boundary treatment ensures that the privacy of neighbouring dwellings will not be lost.

5.2 The development will result in a terracing effect between properties.

Response

A 1.2m gap is retained between the two storey side extension and the boundary with 2 Hartley Avenue. This, coupled with the significant set back of the extension from the front build line ensures that a terracing effect does not occur and the house remains as a detached property.

5.3 The proposal will result in an overdevelopment of the site.

Response

The resultant footprint of the building occupies less than 50% of the site and sufficient garden space is retained for the future occupants of the property.

5.4 Loss of car parking as a result of the proposed development will exacerbate existing on road parking issues within Hartley Avenue and the surrounding area.

Response

'Saved policy' SDP5 advocates maximum residential parking standards. The application site is located within a low accessibility area, and as such the maximum number of car parking spaces for the property is 2. Whilst the proposal does result in the loss of access to a garage at the rear of the site, there is the opportunity for 1 off street parking space to the property's frontage. Furthermore, on street parking will be controlled by the residents parking scheme.

5.5 Construction works will disrupt the peace and quite of the area.

Response

It is recognised that construction does cause a temporary nuisance to those living, working and visiting the locality. It is wholly appropriate to impose conditions to mitigate disturbance and issues such as imposing restrictions on the hours of construction.

5.6 The alterations suggested will make it impossible for this house to be restructured as a family dwelling with garden. Thus, if the proposal goes through it will permanently change the character of the neighbourhood.

Response

The proposed extension retains sufficient garden space to serve a family dwelling. Paragraph 2.3.14 of the residential design guide seeks 90m² of garden space to be provided for a detached house. The proposal retains 180m² of garden space.

As a result of the extension, the property will benefit from a larger third bedroom at first floor level and two additional bedrooms with a shower room at ground floor level. It would be possible to alter the internal layout to suit the needs of a future occupier, including a family, without significantly altering the external appearance of the property.

5.7 An increased student population will have a detrimental impact on the character of the area & similar applications in the immediate area are changing the character of the area.

Response

The local planning authority has no control over the type of tenants that a property is rented to.

The property is currently in use as a C4 dwelling. As such, the property can be occupied by no more than 6 individuals. Should the owner of the property wish to house more than 6 individuals within the property, planning consent will be required and considered on its merits. Should such an application be submitted, full consideration will be given to the impact of the use on the character of the surrounding area.

6.0 Planning Consideration Key Issues

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

- i. Design & impact on Residential Amenity
- ii. Extension to C4 dwelling;

6.1 Design & Residential Amenity

At the national level, the guidance contained within PPS1 and PPS3 require new developments to be appropriate to their context and integrate into the existing urban environment. In particular, paragraph 13 of PPS3 requires good design which makes “places better for people”. The policies in the Local Plan Review seek to improve the quality of life of the City’s citizens through good design. SDP1, SDP7, SDP9 in particular expects developments to be of a high quality, protect the amenities of the occupiers of adjacent land and respect the surroundings in terms of visual impact.

The Residential Design Guide Supplementary Planning Document expands on this by setting parameters for new developments to ensure that access to natural light, outlook and privacy is not adversely affected by development proposals (paragraphs 2.2.11 to

2.2.21 refers). In addition, paragraphs 2.3.1-2.3.5 advocate that extensions should be subordinate to the original dwelling, not detract from the character and rhythm of the street and avoid a terracing effect in areas characterised by semi or detached housing.

The proposed two storey side extension is set back by 3.6m from the front build line of the house and set well below the existing roof ridge. Its subordinate design ensures it will not harm the existing appearance of the dwelling or the character of the Hartley Avenue street scene.

A 1.2m side access is to be retained to allow direct access from the front of the site to the rear. As such, a terracing effect will not occur and the detached nature of the property will be retained.

The single storey extension will not affect outlook, light or privacy to neighbouring dwellings. A large garden is retained for use by the residents, with the overall footprint of the building occupying less than 50% of the total area of the site.

The proposed extension is typical of the type of extension one would find on detached and semi-detached properties throughout the city and could not reasonably be considered an overdevelopment of the site.

6.2 Extension to C4 dwelling

The definition of a C4 dwelling as is the 'use of a dwelling house by not more than six residents as a 'house in multiple occupation' (The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010.

The proposed development offers no more than six bedrooms within the dwelling. As such, and provided that each room is occupied by just one person, planning permission for a change of use is not required. Should the owner of the property wish to house more than 6 individuals within the property, planning consent will be required and considered on its merits.

It is considered that the occupation of the property by up to six people will not be harmful to the character of the area or affect the residential amenities of neighbouring dwellings. Sufficient amenity space is provided for six occupants and the level of activity associated with the dwelling would be akin to that of a larger family.

It is however, recommended that the removal of the property's permitted development rights to develop outbuildings and alter and extend the roof form are removed in order to prevent additional and over development of the site.

7.0 Summary

The proposed extension is considered to meet the requirements of LDF Core Strategy Policy CS13 and saved policies SDP1, SDP7 and SDP9 of the local plan review as supported by the relevant sections of the RDG and will not harm existing residential amenity.

8.0 Conclusion

8.1 This application has been assessed as being acceptable to residential amenity and its local context. The application is recommended 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), 2(c), 2(d), 2(e), 4(s), 6(a), 6(c), 7(a), 9(a), 9(b) and PPS3 (2010)

BG for 20.07.10 PROW Panel

PLANNING CONDITIONS

01. 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).

02. 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.

03. APPROVAL CONDITION - Residential - Permitted Development Restriction [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 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 B (roof alteration),

Class E (curtilage structures), including a garage, shed, greenhouse, etc.,

Reason:

In order that the Local Planning Authority may exercise further control in this locality given the small private garden and amenity areas provided as part of this development in the interests of the comprehensive development and visual amenities of the area.

04. 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.

**05. APPROVAL CONDITION - Hours of work for Demolition / Clearance / Construction
[Performance Condition]**

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 hours to 18:00 hours (8.00am to 6.00pm)

Saturdays 09:00 hours to 13:00 hours (9.00am to 1.00pm)

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.

POLICY CONTEXT

Core Strategy - (January 2010)

CS13 Fundamentals of Design
CS16 Housing Mix and Type

City of Southampton Local Plan Review – (March 2006)

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

Supplementary Planning Guidance

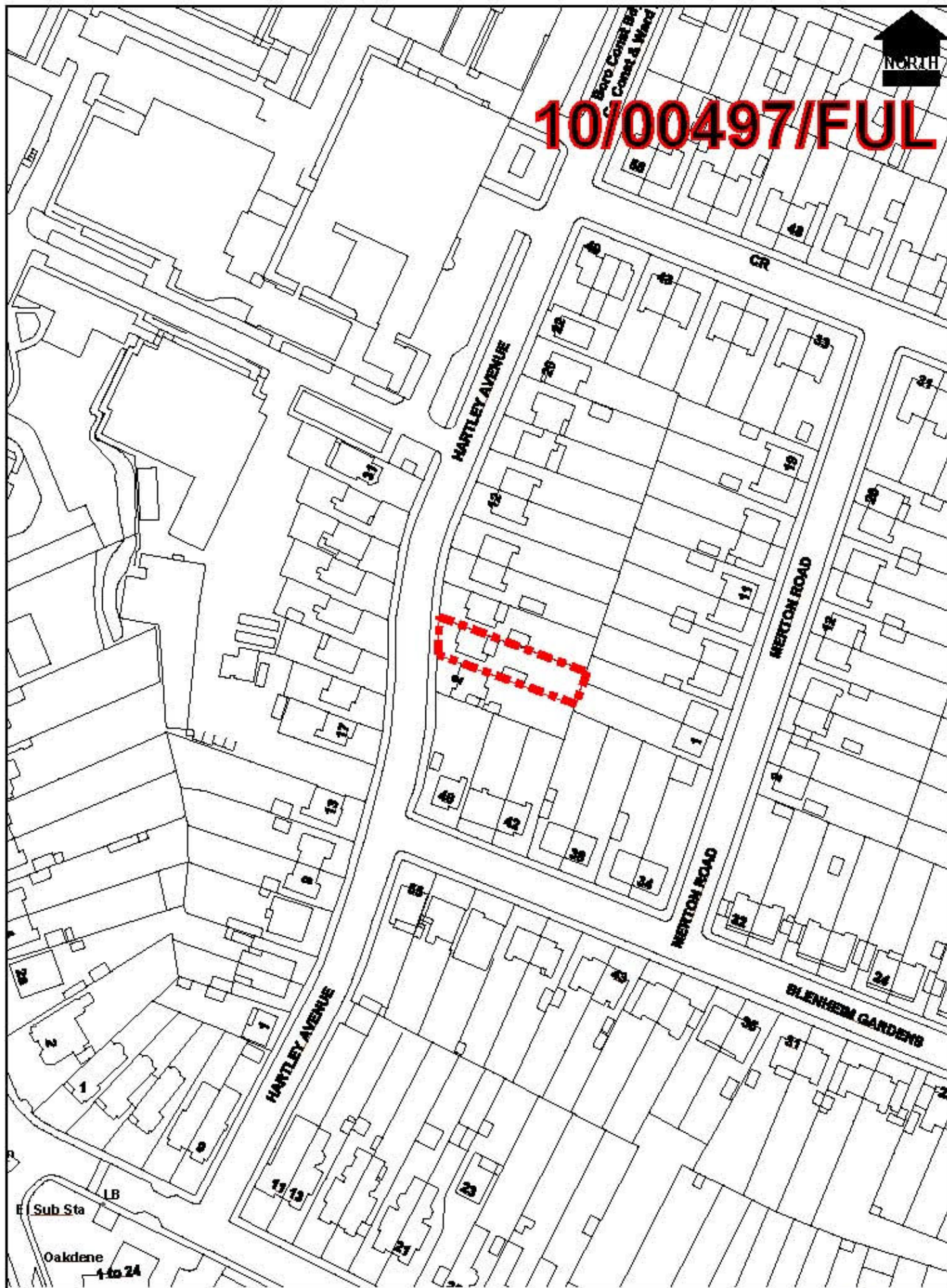
Residential Design Guide (Approved - September 2006)

Other Relevant Guidance

PPS1 Delivering Sustainable Development (2004)
PPS3 Housing (2010)



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