

Planning and Rights of Way Panel 14th March 2017
Planning Application Report of the Service Lead - Infrastructure, Planning & Development

Application address: 6 Spindlewood Close			
Proposed development: Replacement roof to create additional floor, first floor front extension and balcony.			
Application number	16/01807/FUL	Application type	FUL
Case officer	John Fanning	Public speaking time	5 minutes
Last date for determination:	14.12.2016	Ward	Bassett Ward
Reason for Panel Referral:	Request by Ward Member	Ward Councillors	Cllr B Harris Cllr L Harris Cllr Hannides
Referred to Panel by:	Cllr B Harris	Reason:	Out of character and harmful impact on amenity of neighbouring occupiers
Applicant: Mrs D Lally		Agent: George Tutte	

Recommendation Summary	Conditionally approve
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Community Infrastructure Levy Liable	Not applicable
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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. 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 (Amended 2015); CS13 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015); BAS4 of the Bassett Neighbourhood Development Plan (2016).

Appendix attached			
1	Development Plan Policies	2	Site history

Recommendation in Full
Conditionally approve

1. The site and its context

- 1.1 The site is situated within the ward of Bassett and the surrounding area is typical of the ward, with large detached houses set within reasonable gardens and a significant amount of vegetation. There is a significant change in site levels across the site, which rises sharply to the rear (such that the dwelling is 2-storey to the front and single storey to the rear). The properties immediately surrounding the site have a mix in terms of both design and layout.

2. Proposal

- 2.1 The application proposes a significant number of alterations to the original property, including a two-storey front extension, alterations and raising of the roof form to allow additional accommodation in the roof space, a balcony to the front and dormers to the front and rear.

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), the City of Southampton Core Strategy (as amended 2015) and the Bassett Neighbourhood Development Plan (2016). 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 The full planning history is outlined in **Appendix 2**. A previous application on this site was recently refused. This application proposed more significant alterations to the front of the property (to include a 3-storey front extension) and additional dormers to the rear and was refused on the basis of the impact of the physical alterations on the character of the property within the street scene and the reliance on side facing windows which overlooked a neighbouring property.
- 4.2 An application in 2015 (under application reference 15/00468/FUL) gave permission for similar works to be undertaken to the adjacent property at 5 Spindlewood Close. This application has been implemented and forms part of the immediate context of the site.

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 **1** representation has been received from surrounding residents. The following is a summary of the points raised:

5.2 ***Loss of protected trees***

Response: Some time ago the applicant removed a number of protected trees from the site without permission. The Trees team is aware of this and is considering further action under the relevant legislation. Having reviewed the details it does not appear that this issue relates directly to the development currently being considered and, as such, it would be unreasonable to require conditions controlling this as part of the current proposal.

5.3 ***Overlooking of neighbouring properties***

Response: This issue is addressed in more detail in section 6 below. It is not considered that the proposal results in harmful overlooking given the set back and screening between properties.

Consultation Responses

5.4 **Cllr B Harris** – Out of character and harmful impact on amenity of neighbouring occupiers.

5.5 **East Bassett Residents Association** – Proposal is relatively unchanged from previously refused scheme and should be refused on the same grounds.

5.6 **Trees** – No objection following discussion regarding relationship to proposal and removed trees.

6. Planning Consideration Key Issues

6.1 As no change of use is being considered as part of this planning application, the main considerations are the impact of the proposed physical alterations on the overall character of the host dwelling within the surrounding area and; the impact on the amenities of the occupiers of the host dwelling and neighbouring properties.

6.2 Character

6.2.1 Whilst the application does propose increasing the overall height of the main dwelling, it is noted that there is significant variation in the overall design and appearance of dwellings in the immediate street scene. A number of neighbouring properties (including the immediately neighbouring property at number 5) have a similar overall design to that proposed. A number of other properties in the immediate surroundings also have a similar relationship with a balcony to the front.

6.2.2 One of the issues on which the previous application was refused was the impact and forward projection of a three-storey extension to the front with gable end roof forms onto the street. The design has been amended to a two-storey extension using a hipped roof form to minimise the massing and a single storey element with a balcony above.

6.2.3 Following the alterations to the design and reduction in scale of the front extension from the previously refused scheme, taking into account the mixed character and design approach in the surrounding area, it is not considered that the proposal will have a significantly harmful impact in terms of the character of the surrounding street scene.

6.3 Amenity

- 6.3.1 One of the issues on which the previous consent was refused was the reliance on a side facing bedroom window with the potential to overlook one of the neighbouring properties. The proposal has been amended to avoid relying on side facing windows serving habitable rooms, with the rooms in the roof being served by front and rear facing windows. This ensures no harmful overlooking of the neighbouring properties and good outlook and daylight to rooms within the application property. There is a roof (identified as 'rest room') which only benefits from roof light windows however, the use of the room would remain within the control of the applicant and other suitable living space is available, meaning an overall good residential environment for the application property is retained.
- 6.3.2 Given the orientation and position of properties in the street, it is not considered that the balcony will provide the opportunity for overlooking of neighbouring properties. Taking into account the nature of the proposed alterations (with the primary extension to the front), it is not considered that the proposal will significantly impact neighbouring occupiers in terms of the creation of an overbearing or overshadowing form of development. Increasing the roof height will have some impact, primarily on the property at 5, however given the orientation of this property to the south and extent of the works it is not felt that this would be significantly harmful.
- 6.3.3 The proposal does introduce a number of rear facing windows at 2-storey level. Section 2.2.4 of the Councils Residential Design Guide outlines a typical back to back distance between 2 storey-dwellings should be at least 21m to mitigate potential concerns. The properties on Glenwood Avenue are set at a higher level than the application site and there is retained vegetative screening between the properties. Overall it is considered that the 32m separation between these properties, in addition to the other factors, is sufficient to address any potential overlooking concerns.

7. Summary

- 7.1 The application proposes a number of physical alterations to the existing building. Broadly it is considered that the amendments to the previously refused scheme have addressed the primary concerns and the current proposal integrates into the character of the area while not having a harmful impact on the amenity of neighbouring occupiers.

8. Conclusion

- 8.1 For the reasons discussed above, 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)(b)(c)(d), 2(b)(d)(g), 4(f)(vv), 6(a)(b)

JF for 14/03/2017 PROW Panel

PLANNING CONDITIONS

01. Full Permission Timing Condition (Performance)

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, 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. Obscure Glazing (Performance Condition)

All windows in the side elevations, located at first floor level and above of the hereby approved development, shall be obscurely glazed and fixed shut up to a height of 1.7 metres from the internal floor level before the development is first occupied. The windows shall be thereafter retained in this manner.

Reason: To protect the amenity and privacy of the adjoining property.

04. 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 - (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

Bassett Neighbourhood Plan (2016)

BAS4 Character and Design

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)

Other Relevant Guidance

The National Planning Policy Framework (2012)

Relevant Planning History

16/00693/FUL, Three storey front extension, roof alterations to create second floor accommodation and fenestration changes with addition of balcony to part of front elevation.

Refused, 14.07.2016

Reason for refusal - Unacceptable impact on character and amenity

The proposed development, by means of design and layout, represents an unsympathetic and un-neighbourly form of development, harming the visual amenity of the street scene and the introduction of harmful overlooking of a neighbouring property. The proposal thereby proves contrary to saved policies SDP1(i), SDP7(iii)(iv) and SDP9(i)(iv)(v) of the adopted City of Southampton Local Plan Review (March 2006) and CS13 of the adopted Local Development Framework Core Strategy Development Plan Document (January 2010), with particular reference to sections 2.2.1, 2.2.7, 2.3.1-2, 2.3.9 and 2.5.2-4 of the Residential Design Guide.

08/00929/FUL, Conversion of existing garage into a habitable room.
Conditionally Approved, 01.10.2008

970107/W, Retention of a conservatory
Approved, 12.03.1997

5 Spindlewood Close

15/00468/FUL, Reconstruction of the roof to provide additional accommodation with dormer windows to the rear with associated external alterations including a balcony to the front elevation

Conditionally Approved, 30.04.2015

16/01807/FUL



Scale: 1:1,250

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