

Southampton City Planning & Sustainability
 Planning and Rights of Way Panel meeting 15 February 2011
 Planning Application Report of the Planning and Development Manager

Application address: 58 Wilton Road, (Elm Green Court) Southampton			
Proposed development: Alterations to roof comprising a mansard edge to reduce the eaves height of the building adjacent to 60 Wilton Road.			
Application number	10/01814/FUL	Application type	FUL
Case officer	Andrew Gregory	Public speaking time	5 minutes
Last date for determination:	19.01.2011	Ward	Shirley
Reason for Panel Referral	Previous application considered by panel	Ward Councillors	Cllr Dean Cllr Matthews Cllr Mead

Applicant: Elmgreen Properties	Agent: Alan Maclean Associates
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Recommendation Summary	Conditionally Approve
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Reason for granting planning permission

The alteration to the existing roof comprising a mansard edge to lower the eaves height of the building adjacent to 60 Wilton Road will not adversely harm the design of the building or the character and appearance of the surrounding area. Development has not been carried out strictly in accordance with planning permission 08/01033/FUL because the height of the building is greater than shown on the approved plans. The lowering of the eaves height with the incorporation of a mansard edge would remedy the planning breach and it is not considered expedient to take any further action.

Other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004 Planning Permission should therefore be granted. Policies SDP1, SDP7 and SDP9 of the City of Southampton Local Plan Review - Adopted March 2006. Policy CS13 of the Local Development Framework Core Strategy (January 2010).

Appendix attached			
1	Development Plan Policies	2	Decision notice and panel report for application 08/01033/FUL

Recommendation in Full

Conditionally Approve

1. The site and its context

1.1 The application site is located on the north east of Wilton Avenue. The surrounding area is predominately residential, albeit a hairdressing salon with living accommodation adjoining to the north.

1.2 Having been previously occupied by a group of vacant single storey buildings, planning consent was granted by the Planning and Rights of Way panel in 2008 for the erection of 5 two bedroom flats in a two-storey block including living accommodation in the roof. The flatted development is now substantially completed.

2. Proposal

2.1 The approved flatted block on site was shown to have an eaves height to match the neighbouring two-storey development within Wilton Road. However the development has not been constructed strictly in accordance with planning approval 08/01033/FUL because adjustments carried out at construction stage has resulted in a higher building, with an overall increase in the height to the ridge of 500mm and an increase in the height of the eaves adjacent to 60 Wilton Road of 250mm.

2.2 Following an enforcement investigation and discussions between the applicant and planning officers, this application seeks to remedy the breach by lowering the eaves by 250mm adjacent to 60 Wilton Road by altering the roof to form a mansard edge.

The mansard will be finished with matching plain tiles.

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 policies of the South East Plan, Southampton’s Core Strategy and Local Plan Review have been taken into account in the consideration of this application. The Core Strategy is in general conformity with the South East Plan, and it is not considered that the policies in the South East Plan either conflict with or add particular weight to the policies in the Core Strategy for this application. Consequently only the local statutory development plan policies (Core Strategy and Local Plan Review) have been cited in this report.

4.0 Relevant Planning History

4.1 08/00606/FUL REFUSED 23.06.2008
Erection of 5 x two bedroom flats in a two-storey block with living accommodation in the roof with associated car/cycle parking and refuse store.

4.2 08/01033/FUL CAP 25.11.2008

Erection of 5 flats (4x2 bedroom and 1x1 bedroom) in a two-storey block including living accommodation in the roof with associated car/cycle parking and refuse store (resubmission) (amended description).

4.3 09/00404/DIS

Pending

Application for Approval of details reserved by conditions 2,5,6,9,12,13 and 16, relating to planning ref 08/01033/FUL (materials, land contamination, access, storage and removal of refuse, means and details of enclosure, sustainable measures).

4.4 A copy of the decision notice and panel report relating to application 08/01033/FUL and 08/00606/FUL are attached as Appendices 2 & 3

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 also undertaken which included notifying adjoining and nearby landowners, and erecting a site notice (posted 30.12.2010). At the time of writing the report 1 representation has been received from nearby residents which can be summarised as follows:

Request that enforcement action be taken to remedy the breach of planning permission granted on 25 November 2008, Reference 08/01033/FUL because the building does not correspond with approved plans numbered 301 Rev C, and 302 Rev C.

The height of the finished building, as shown on submitted drawing 601 is significantly taller than on the approved plans. The projecting gables over the front bay windows have a greater ridge height. The finished ridge and eaves height appear to be identical to those on the plan for refused application reference 08/00606/FUL.

The increased overall height of the building and the prominence of the roof accommodation have reintroduced the 3 storey effect which was the reason for refusal 08/00606/FUL.

The harm caused by the breach is the harm expressed in Reason 01 of the Decision Notice dated 23 June 2008 in refusal of application 08/00606/FUL, namely the detrimental visual impact on the existing street scene by virtue of the height and mass of the building and by being out of keeping with neighbouring dwellings and in contravention of the stated adopted policies and guidance.

6.0 Planning Consideration Key Issues

6.1 The key issue for consideration in the determination of this planning application is whether the development will have a harmful impact on the character and appearance of the street scene or the general visual amenities of the area.

6.2 It is considered that the development has been carried out in the general spirit of planning permission 08/01033/FUL. However a number of adjustments were carried out at construction stage which has resulted in the overall build height being greater than originally approved. The unforeseen adjustments include an increase of 225mm on the ground floor slab to remedy damage to the underfloor heating, an increase of 225mm on the upper floors because an error was made in the setting out of the stairs

which meant that a further riser had to be incorporated, and 50mm was added to the roof because further insulation was required to satisfy building regulations. The applicant has sought to lessen the impact by making some adjustments to the internal levels.

6.3 The overall height difference of 500mm is considered to have a negligible impact on the street scene. The increase in ridge height will not be seen because the roof pitches back into the site as part of a hipped roof form. The increase in height has resulted in taller projecting gables over the front bay windows however this element reads as subservient to the main roof when viewed along the street and they are not considered significantly harmful to the street scene to substantiate a reason for refusal. Therefore it is not considered expedient to take enforcement against these unauthorised works.

6.4 However the 250mm increase in eaves height adjacent to 60 Wilton Road is considered harmful having regard to the consistent eaves height of established development within the street. This height deviation makes the building step up in height within the street, making it appear unduly dominant.

6.5 Therefore, following discussions with officers the applicant has submitted a revised application to show a mansard corner section of roof to lower the eaves level adjacent to 60 Wilton Road in order to remedy the breach of planning control. The alteration in this section of the roof form brings the eaves in line with the height of those originally approved. In visual terms, the proposed roof alteration creates a better transition between the eaves height of the neighbouring dwellings and the approved development. It also improves the overall appearance of the building within the street scene.

6.6 The flatted development, as altered by this application, is considered materially different to the refused flatted development on site, reference 08/00606/FUL. In terms of eaves height, design, scale and bulk within the roof (the refused scheme incorporated a flat-roof and larger left-side projecting front gable).

7.0 Summary

7.1 The alteration to the existing roof comprising a mansard edge to lower the eaves height of the building adjacent to 60 Wilton Road will not adversely harm the design of the building or the character and appearance of the surrounding area.

7.2 Development has not been carried out strictly in accordance with planning permission 08/01033/FUL because the height of the building is greater than shown on the approved plans. The lowering of the eaves height with the incorporation of a mansard edge would remedy the planning breach and it is not considered expedient to take any further action, should that alteration be made within a set time frame

8.0 Conclusion

8.1 Conditionally Approve.

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1 (a), 1(b), 2(b), 2(d), 6(c)

AG for 15.02.2011 PROW Panel

PLANNING CONDITIONS

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

The development works hereby permitted shall begin not later six months 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) and to remedy a breach of planning control that would otherwise have resulted in formal enforcement action being taken.

2. APPROVAL CONDITION - Materials to match [Performance Condition]

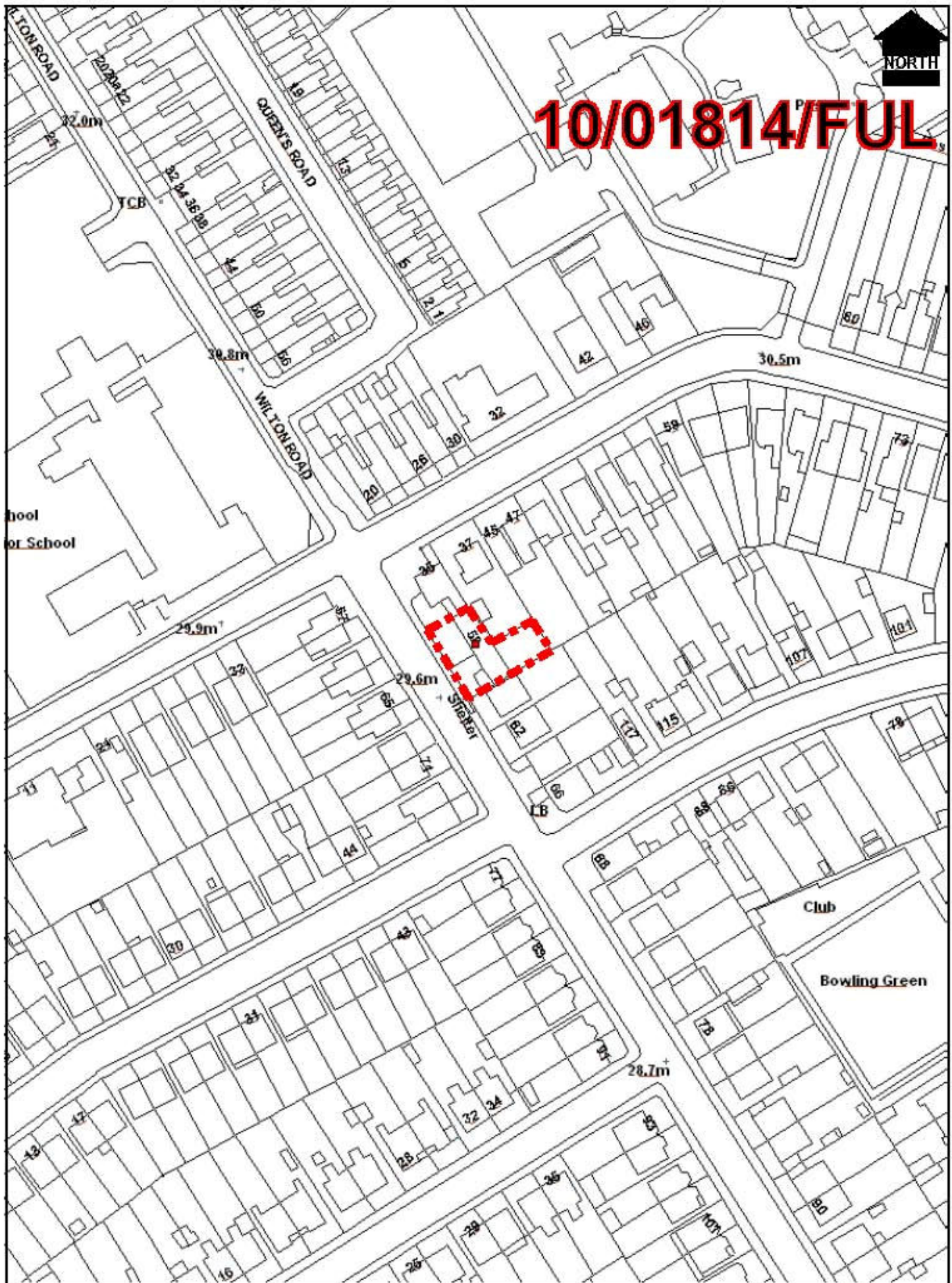
The roofing materials to be used for the mansard edge hereby approved shall match in all respects the type, size, colour, texture, form, composition, manufacture and finish of those on the existing building.

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.



10/01814/FUL



Scale : 1:1250

Date :01 February 2011

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