

Southampton City Planning & Sustainability
Planning and Rights of Way Panel meeting 06 September 2011
Planning Application Report of the Planning and Development Manager

Application address: 73 Milton Road SO15 2HS			
Proposed development: Replacement two storey extension and part single storey rear extension			
Application number	11/00754/FUL	Application type	FUL
Case officer	Mathew Pidgeon	Public speaking time	5 minutes
Last date for determination:	14/07/2011	Ward	Bargate
Reason for Panel Referral:	Referred by the Planning & Development Manager	Ward Councillors	Cllr Bogle Cllr J Noon Cllr Willacy

Applicant: Posh Pads	Agent: Snug Projects Ltd
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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. The occupation of this property is not considered likely to result in an unacceptable intensification of activity resulting in a material increase in the level of noise and refuse generated from the site. Other material considerations including the impact on the amenity of adjoining occupiers or the character of the street 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.

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).

Appendix attached			
1	Development Plan Policies		

Recommendation in Full

Conditionally approve

Background

This application was deferred from the August Panel so that a re-notification with neighbours would take place with an amended description of development. As a result of seeking additional comment no new representations have been received at the time of writing.

1.0 The site and its context

1.1 The application site contains a two-storey mid-terraced C3 dwelling house located within a residential area of predominantly terraced dwellings. To the rear of the site is an un-adopted highway.

1.2 The property fronts Milton Road with a typical façade of pre-war design. The original design of the property incorporated a subservient rear section measuring approximately 4m in depth. The roof of the subservient section was pitched to form a gable end with the roof of the neighbouring property number 71. Since its original construction a two storey section projecting 3m had been added to the subservient rear section, the addition had a flat roof.

1.3 During the preparation of the site the subservient element to the rear, both original and additional sections, were found to be condemned and have subsequently been removed.

1.4 The property fronts the North side of Milton Road and is located in an area which is popular with student landlords due to the close proximity to the main campus of Solent University.

1.5 The boundary treatment for the East side of the site had been removed prior to the site visit however the applicant has indicated the intention to enclose the site with 2m high close boarded fencing. To the West the site is defined by a brick wall which varies in height from between 1.4m and 1.8m. There is also a section of trellis upon part of the wall which takes the boundary height to approximately 2m.

1.6 The neighbouring property at number 71 currently maintains its original design form. The neighbour at number 75 however has had a variety of extensions added as have many of the surrounding properties. Number 71 is therefore rather unusual in so far as it retains its original form.

2.0 Proposal

2.1 The planning application seeks to replace the two storey subservient section which previously stood on the site. The roof of the additional 3m projection would become pitched rather than flat. The proposal would also incorporate a ground floor extension to improve the communal space within the dwelling.

2.2 The ground floor extension would add 1m to the depth of the property. The extension would be 5.5m wide and therefore occupy the full width of the plot. The extension would be 1.3m wider than the existing rear projection. The extension would wrap around the rear projecting element and would span 3.8m along the boundary of the site with the neighbour at number 75.

2.3 As a result of the development there would be approximately 45m² of amenity space remaining.

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 in **Appendix 1**.

3.2 It should be noted that the proposal would not facilitate an increase in the number of bedrooms at the host dwelling. Planning permission is not, at present, required to change the use from a family dwelling house (Use Class C3) to a small HMO (Use Class C4 with a maximum number 6 occupants) and therefore the application should not be judged in relation to policy H4 (Houses in multiple Occupation) or CS16 (Housing mix and type).

3.3 Only once the proposed Article 4 Direction is formalised would planning permission for a change of use to C4 be required. The current timetable for adoption of the Article 4 Direction is March 2012.

4.0 Relevant Planning History

4.1 11/00234/FUL – Erection of single storey side and rear extension and external alterations to include installation of first floor window within west facing side elevation - Refused 07.04.2011 for the following reasons:

REFUSAL REASON - Impact on Neighbouring Amenity.

The proposed ground floor rear extension, by means of its rearward projection, height and proximity with the common boundary, relates poorly to the neighbouring properties (numbers 71 and 75 Milton Road) and would result in the introduction of an increased sense of enclosure to these neighbours. Furthermore, the scheme would adversely affect outlook from a neighbouring habitable room window as well as the visual amenities currently enjoyed by existing neighbouring occupiers. Therefore, the scheme is considered to be harmful to existing and proposed residential amenity and has been assessed as contrary to policies SDP1 (i), SDP7 (v) and SDP9 (i) and (v) of the adopted City of Southampton Local Plan Review (2006) (and be contrary to paragraphs 2.2.1 and 2.2.2 of the approved Residential Design Guide SPD 2006) and Policy CS13 of the adopted Local Development Framework Core Strategy Development Plan Document (January 2010).

REFUSAL REASON, Residential Environment.

The proposal, by reason of the layout of the building and the width of the extension would result in an unsatisfactory residential environment for current or future occupiers of the dwelling by means of unsatisfactory outlook from a habitable room window (illustrated as room 0.3 and as such the proposal is contrary to policies SDP1 (i) and SDP9 (i) of the adopted City of Southampton Local Plan Review (2006) (and be contrary to paragraphs 2.2.1 and 2.2.3 of the approved Residential Design Guide SPD 2006) and Policy CS13 of the adopted Local Development Framework Core Strategy Development Plan Document (January 2010).

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 and by erecting a site notice (02/06/2011). A re-consultation has taken place following the deferral of this application from August Panel. At the time of writing the report 5 representations have been received, 2 from local residents, 2 from local ward members and one from Banister Freemantle and Polygon Community Action Forum. The following observations/comments were made:

- Reduced light to ground floor bedroom window.
- Reduced outlook.
- Use of double doors opening to the rear garden increases the potential for noise nuisance.
- Five double bedrooms are too many for a property of this nature, potentially having as many as 10 occupants.
- Increase potential for rubbish in the streets, anti social behaviour, burglaries and vandalism.
- Contrary to policies H4 (i) and (ii).
- Overdevelopment of the site.
- Overcrowding of the area.
- Width of extension is a concern – fire.
- Out of keeping with neighbouring properties.
- Loss of amenity space.
- Parking pressure.

RESPONSE

The above considerations are responded to in detail in section 6 of the report - Planning Considerations.

5.2 Private Sector Housing – No objection.

6.0 Planning Consideration, Key Issues

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

- i. The principle of development and whether the previous reasons for refusal have been addressed.
- ii. The impact on character of the host dwelling;
- iii. The impact on the amenity of the surrounding area; and
- iv. The adequacy of the living environment for the residents.

Since the original submission amended plans have been provided with the aim of relieving concerns raised by officers. The revised plans reduce the overall length of the ground floor structure so that it projects 1m past existing rear building line of the host dwelling.

6.2 Principle of Development

6.2.1 The application is for an extension to the property at ground floor level and the replacement of the two storey subservient section which was recently removed. The

proposal will result in 5 bedrooms and, therefore, the number of bedrooms will not be increasing.

6.2.2 There are no relevant policies which object in principle to extending the property. The proposal must therefore be judged in terms of its potential impact as a result of the physical characteristics of the extension.

6.3 The impact on character of the host dwelling;

6.3.1 The first floor element of the dwelling will not be any larger than the first floor element which was existing on the site prior to the demolition of the condemned part of the building. There is a slight change to the roof profile.

6.3.2 The ground floor extension would be used to enlarge the communal living environment provided.

6.3.3 The change to the rear is considered acceptable in appearance. The adopted design has ensured harmony with the original building, incorporating shallow pitched roofs at ground and first floor.

6.3.4 The width of the extension, at ground floor level, is also considered acceptable as is the scale and degree of projection. The development adequately respects and maintains the character of the original dwelling and therefore accords with the principle set out in the Residential Design Guide.

6.4 The impact on the amenity of the surrounding area

6.4.1 An additional bathroom window is proposed to be added at first floor level. A condition is recommended to prevent overlooking from that window to neighbouring gardens/habitable rooms. As the proposed extension to the property is single storey and owing to the boundary treatment on site the proposal is unlikely to reduce privacy to neighbouring occupants.

6.4.2 The reconfiguration of the internal space of the property and the increased scale of the extension is not considered to significantly alter the amenity enjoyed by neighbouring occupants in terms of loss of outlook, or additional overshadowing. As such the previous reason for refusal has now been addressed.

6.4.3 The proposal cannot be directly linked to increased burglaries, additional litter on streets/poor upkeep of front gardens, anti-social behaviour and vandalism, as suggested in letters of representation.

6.4.5 Prior to the removal of the two storey subservient section there were 5 bedrooms in the property and therefore it is considered unlikely that parking pressure will be significantly increased as raised within letters of representation.

6.4.6 The amount of noise originating from the host dwelling will be determined by the occupants of the property and how considerate they are to surrounding neighbours. The double doors should not lead the panel to refuse the development as suggested within letters of representation.

6.5 The adequacy of the living environment for the residents.

6.5.1 The garden area is sufficient (approximately 45m²) for the occupiers of the property. The amenity space provision is in character with the surroundings and it is noted that a garage was, until relatively recently, occupying a large area of the rear garden. The development is not considered to be an overdevelopment of the site.

6.5.2 Light to the habitable rooms will not be affected as a result of the proposal as the extension will be built to the North of the property. The Building Control Team are satisfied that the development can comply with fire regulations. The proposed standard of living accommodation is acceptable.

7.0 Conclusion

7.1 The extension satisfies the requirements of the Residential Design Guide and would not cause harm to neighbouring amenity. In addition the site is considered large enough to deal with the level of occupancy and the design is sympathetic to the character of the property; and for these reasons the scheme can be supported as the previous reasons for refusal have been addressed.

Local Government (Access to Information) Act 1985 **Documents used in the preparation of this report Background Papers**

1(a), 1(b), 1(d), 2(b), 2(d), 4(f), 6(c), 7(a), 7(e), 9(a), 10 (a) and 10(b).

MP3 for 06/09/2011 PROW Panel

PLANNING CONDITIONS

CONDITIONS for 11/00296/FUL

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 extension 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 - 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.

04. APPROVAL CONDITION – Obscured window specification [Pre-Occupation Condition]

The window in the west elevation of the building, at first floor level [serving the room indicated as a bathroom] must be obscured and shall only have a top light opening above a height of 1.7m above the floor level of the room to which it serves. The window as specified shall be installed prior to the occupation of the building and retained as stated.

Reason:

To protect the privacy enjoyed by the occupiers of the adjoining property

05. 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.

Note to Applicant

The applicant's attention is also drawn to the approved use of the property as a small HMO (C4 use). In the event that more than 6 un-related people reside at the address a material change of use may have occurred and a further planning application may be required.

POLICY CONTEXT

Core Strategy - (January 2010)

CS13 Fundamentals of Design

City of Southampton Local Plan Review – (March 2006)

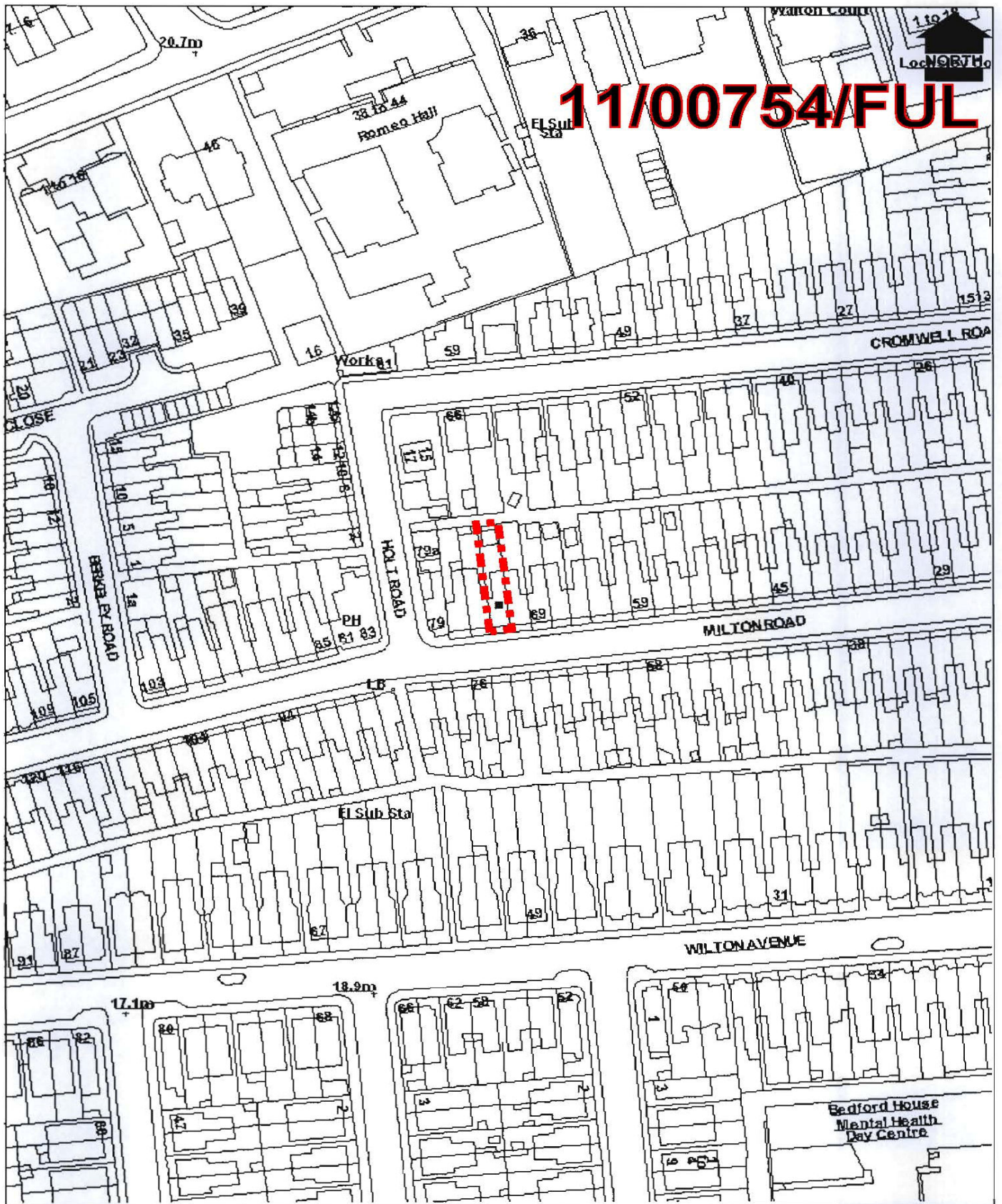
SDP1 Quality of Development
SDP7 Urban Design Context
SDP9 Scale, Massing & Appearance

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)

Other Relevant Guidance

PPS1 Delivering Sustainable Development (February 2005)



11/00754/FUL

Scale : 1:1250

Date : 24 August 2011

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