

**Southampton City Planning & Sustainability  
 Planning and Rights of Way Panel meeting 27 September 2011  
 Planning Application Report of the Planning and Development Manager**

<b>Application address:</b> 15 b Brookvale Road			
<b>Proposed development:</b> Loft conversion to first floor flat including 2 flat roof dormers.			
<b>Application number</b>	11/00849/FUL	<b>Application type</b>	FUL
<b>Case officer</b>	Jagdeep Birk	<b>Public speaking time</b>	5 minutes
<b>Last date for determination:</b>	22 July 2011	<b>Ward</b>	Bevois
<b>Reason for Panel Referral:</b>	Referred by the Planning & Development Manager	<b>Ward Councillors</b>	Cllr Barnes-Andrews Cllr Burke Cllr Rayment

<b>Applicant:</b> Mr F Ahmed	<b>Agent:</b> Design And Draw
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<b>Recommendation Summary</b>	<b>Conditionally Approve</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 extension is not considered to be harmful to the appearance of the host dwelling nor harmful to the character of the surrounding area. Furthermore, no harm would result to the amenities of the 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.

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).

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

**Recommendation in Full**

**Conditionally approve**

**1.0 The site and its context**

1.1 The application site lies on a mainly residential street characterised with 2-3 storey properties of varying style and mix. The northern facing roof slope where the two dormer windows are proposed faces toward Westwood Road. The adjoining block of flats in Westwood Road (David Lockhart Court) is 4 storeys high and contains a number of windows looking obliquely towards the roofslope where the dormer windows are proposed.

1.2 The property is part of a two storey development where a block of six flats was constructed fronting Brookvale Road with associated garage court accessed from Westwood Road. 15 a (the ground floor flat underneath the application property) has a separate garden to 15 b, both accessed via a lockable side gate.

1.2.1 There are no records to indicate that the property is operating as a house in multiple occupation (HMO). A recent site visit concluded there was no evidence of such a use, it currently being occupied by a young couple and their infant child.

## **2.0 Proposal**

2.1 The application for the construction of two flat roofed dormer windows to create an additional floor by the conversion of the loft space, to provide 2 bedrooms and a bathroom. If approved and implemented, this self-contained maisonette would comprise four bedrooms, two bathrooms a kitchen and a lounge.

## **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 Policies generally seek to safeguard the amenity of the city and its citizens, achieving high quality design, to integrate into the local context, in terms of the scale, massing and appearance of proposals.

3.3 These aspirations are supported by the guidance in the Council's Residential Design Guide. Section 2 of the Guide sets out standards for extensions to existing homes, to ensure that the access to natural light, outlook and privacy for existing occupants and their neighbours is protected (paragraph 2.2.1 - 2.2.23 refers). Furthermore, paragraph 2.5.4 specifies design principles that should be followed. Dormer windows should be kept below the ridge and away from the verges and eaves line of the roof. Dormers should not visually dominate the existing roof, materials should match the existing.

3.4 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 Planning permission was granted for the erection of a block of six flats and garages in 1964; 1260/56 refers.

## **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. At the time of writing the report 2 representations have been received from surrounding residents and Cllr Vinson requested that the application should be considered by the Panel.

- 5.2 The design of the flats do not lend themselves for loft conversion and claiming the roofspace is jointly owned between all the original six flats.
- 5.3 The overlooking will not be worse than what is currently experienced by existing properties.
- 5.4 Increased size of the property will make the building look disproportionate.
- 5.5 The property already operates as a HMO and the proposal will cause further intensification as there is insufficient parking.

These concerns are addressed below.

## **6.0 Planning Consideration Key Issues**

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

- Principle and impact on the character of the area;
- Impact on residential amenity.

### **6.2 Principle of Development and impact on character**

- 6.2.1 Properties along Brookvale Road vary in style and design. The property is not located in a conservation area and therefore not afforded the same status level of protection as a property in a conservation area. Heavy tree cover also largely masks the visual impact of the proposed dormer windows. The trees on the site boundary turning the corner from Brookvale Road into Westwood Road are also protected by a Tree Preservation Order.
- 6.2.2 The dormer will be visible from Brookvale Road and Westwood Road, but dominance of David Lockhart Court when viewing the property from Brookvale Road will minimise the visual impact of the dormers. Views from Westwood Road will be limited due to the considerable setback of the property.
- 6.2.3 The change to the roof profile is considered acceptable in appearance and does not poorly relate to the original building as the adopted design has retained the subordinate nature of the rear section of the building.

### **6.3 Impact on residential amenity**

- 6.3.1 The new dormer windows will look across the flats' own garage court towards Westwood Road. As well as the protected tree canopies preventing interlooking between properties, the face of the next nearest directly opposite property at 63 Westwood Road is some 52m away, across a public street. Whereas there are some windows in the flank of David Lockhart Court, the new dormer windows would be set very obliquely against the plane of those windows. As such, claims of people being overlooked and their privacy compromised is simply not borne out

on site.

- 6.3.2 Legal issues pertaining to joint ownership of roofspaces across the 6 originally built flats are separate civil considerations and not a material planning consideration.

## **7.0 Conclusion**

- 7.1 The proposal is judged not be harmful to the surrounding character and amenity of the local area.
- 7.2 If approved and the owner wishes to place more than 6 people in the property, that will constitute a material change of use to a sui generis HMO for which a further planning application will need to be made. An informative can be placed on any favourable decision notice issued to this effect. Occupation of an enlarged dwelling by 3-6 unrelated people is currently permitted development for a change from use Class C3 to use Class C4.

### **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), 4 (f), 6 (c), 7 (a), (e) and 10 (a), (b).

### **JB4 for 27/9/11 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: 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 - (January 2010)

CS13            Fundamentals of Design

City of Southampton Local Plan Review – (March 2006)

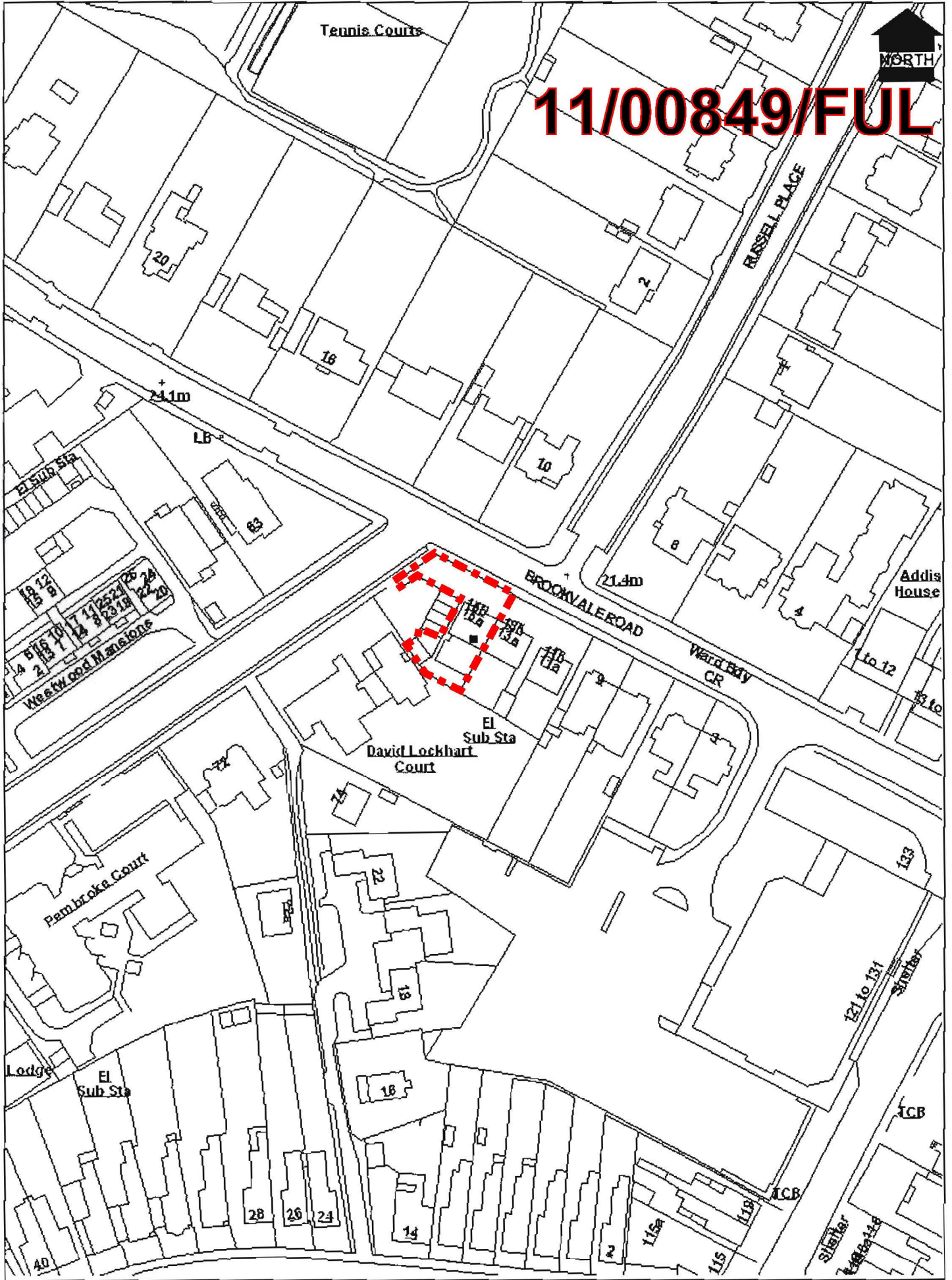
SDP1            Quality of Development  
SDP7            Context  
SDP9            Scale, Massing & Appearance

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)

Other Relevant Guidance

PPS1 Delivering Sustainable Development (February 2005)  
PPS3 Housing (November 2006)



**11/00849/FUL**

Scale :

Date :

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