

Planning and Rights of Way Panel 6th June 2023
Planning Application Report of the Head of Transport and Planning

Application address: 10 Holyrood Avenue, Southampton			
Proposed development: Erection of a single storey rear extension			
Application number:	23/00317/FUL	Application type:	FUL
Case officer:	Sam Kushner	Public speaking time:	5 Minutes
Last date for determination:	08.05.2023 ETA: 09.06.2023	Ward:	Portswood
Reason for Panel Referral:	5 or more objections received	Ward Councillors:	Cllr Barbour Cllr Finn Cllr Savage
Referred to Panel by:	N/A	Reason:	N/A
Applicant: Dr E Fogg		Agent: Gary Bradford	

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 39-42 and 46 of the National Planning Policy Framework (2021).

Appendix attached	
1	Development Plan Policies

Recommendation in Full

Conditionally approve

1. The site and its context

- 1.1 The application site consists of a two-storey semi detached dwelling, which is located within a suburban area part of the city. The property has been licensed as a House in Multiple Occupation (HMO – C4) since 2013, and both immediate neighbours are also licensed HMOs. The area is characterised by similar two-storey detached dwellings which have a modest set back from the road of Holyrood Avenue.
- 1.2 The application property shares a boundary with no 8 and 12. The property is attached to no. 12 which benefits from an existing rear extension with a depth of approximately 5m.

2. Proposal

- 2.1 The proposal is for the erection of a single storey rear extension that would replace the existing conservatory. The extension would have a depth of 4.7 metres from the rear wall, a width of 5.2 metres and is 3.6 metres high at its tallest point, with eaves at 2.3m. It facilitates a larger dining/kitchen area. These

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) and the City of Southampton Core Strategy (as amended 2015) and the City Centre Action Plan (adopted 2015). The most relevant policies to these proposals are set out at **Appendix 1**.
- 3.2 The National Planning Policy Framework (NPPF) was revised in 2021. Paragraph 219 confirms that, where existing local policies are consistent with the NPPF, they can be afforded due weight in the decision-making process. The Council has reviewed the Development Plan 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.

4.0 Relevant Planning History

- 4.1 There is no relevant planning history at the application 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 **6 representations (all objection)**.

5.2 The following is a summary of the **OBJECTIONS** raised by neighbours:

5.2.1 ***The extension of the property could lead to a change of use from C4 (3-6 unrelated occupants) to Sui Generis (7 or more occupants)***

Response:

Any change from C4 to Sui Generis would require a separate planning application to be considered on its own merit.

5.2.2 ***Noise and nuisance***

Response:

This would be a matter for Environmental Health. The proposed application is to extend an existing kitchen/diner only.

5.2.3 ***Loss of green space***

Response

A garden with a depth of 8.3m and an area of approximately 70 sq.m is retained and although slightly below the depth as advised in the Residential Design Guide 2006 Section 2, this is typical of the area and is viewed to be acceptable as per the advice given in the RDG.

Lack of neighbour notification

5.2.4 Response

As a 'householder' type application only the immediate neighbours and those directly opposite were consulted; as is standard SCC procedure. The Council has met its statutory duty to notify of this application and no site notice is necessary.

6. Consultation Response

6.1

Consultee	Comments
Archaeology	The site is in Local Area of Archaeological Potential 10 (Portswood, Highfield and northern St Denys), as defined in the Southampton Local Plan and Core Strategy. However on current evidence and given the relatively small scale of the development, no archaeological conditions need to be attached to the planning consent if granted

7. Planning Consideration Key Issues

7.1 The proposed single storey rear extension exceeds 3.0m in depth and therefore planning permission is required. The key issues for consideration in the determination of this planning application are:

- Residential amenity; and
- Design and effect on character.

7.2 Residential amenity

- 7.2.1 The attached neighbour at no. 12 is unlikely to have any effect to their existing residential amenity as the proposed rear extension would be to the same depth as the existing rear addition at no.12. The proposal is sufficiently distanced with relatively low eaves so as not to create a tunnelling effect and is only at single storey.
- 7.2.2 The proposed rear extension does contain two side facing windows; however, this do not look directly into any neighbouring window or garden area, as views would be interrupted by the existing boundary treatment. Furthermore, this affected window appears to be a kitchen and not a habitable room.
- 7.2.3 It is not considered that that proposed extension would result in significant overbearing, overlooking or overshadowing impacts on the amenities of nearby occupiers, nor would it harm the amenity of the occupiers of the host dwelling. Furthermore these nearest neighbours haven't objected. On this basis the proposal is considered acceptable when assessed against saved Local Plan policy SDP1(i) and the relevant sections of the approved RDG.

7.3 Design and effect on character

- 7.3.1 The proposal would not cause any detrimental impact to the street scene given that the proposal is situated to the rear of the property. A rear extension of this scale is common and would not be significantly out of character for a residential dwelling. A garden depth of 8m, with an area of approximately 70sq.m, would be retained and comply with the guidance contained within paragraph 2.3.12 of the RDG when the wider character is taken into consideration.
- 7.3.2 The materials used will match the existing dwelling with matching brick work, concrete tiles and uPVC doors and windows. On this basis, the proposals are considered to be acceptable and would comply with the requirements of the relevant Development Plan policies listed above, and guidance contained within Section 12 of the NPPF.

8. Summary

- 8.1 Overall, the application is considered to be acceptable in terms of its siting, size and design and would not result in significant impacts on neighbour amenity to warrant a refusal of planning permission, whilst noting the objections from the neighbouring properties.

9. Conclusion

- 9.1 It is recommended that planning permission should be granted subject to conditions set out below.

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1. (a) (b) (c) (d) 2. (b) (c) (d) (e) (f) (g) 4.(f) (g) (vv) 6. (a) (b) 7. (a)

Case Officer **Sam Kushner** PROW Panel 06.06.2023

PLANNING CONDITIONS

Condition 1 – Full Permission Timing (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).

Condition 2 – Materials in accordance with submission (Performance)

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 be in accordance with the submitted plans and information hereby approved.

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.

Condition 3 – Approved Plans (Performance)

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below.

Reason: For the avoidance of doubt and in the interests of proper planning

Application 22/01582/FUL

APPENDIX 1

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS13 Fundamentals of Design

CS19 Car & Cycle Parking

City of Southampton Local Plan Review – (as amended 2015)

SDP1 Quality of Development

SDP5 Parking

SDP7 Urban Design Context

SDP9 Scale, Massing & Appearance

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)

Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework (2021)