

Planning and Rights of Way Panel 14th July 2020
Planning Application Report of the Head of Planning and Economic Development

Application address: 158 Athelstan Road, Southampton SO19 4DJ	
Proposed development: Raised deck to rear and first floor extension and side dormer window to facilitate loft conversion – scheme amended since validation	
Application number:	20/00269/FUL
Case officer:	Laura Treagus
Last date for determination:	21/04/2020
Reason for Panel Referral:	Five or more letters of objection have been received
Applicant: Mr Giles Brotherton and Ms Jacqui Turner	Agent: Mr Paul Brotherton

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 (2019). Policies –CS13 of the of the Local Development Framework Core Strategy Development Plan Document (Amended 2015). Policies – SDP1, SDP7 and, SDP9 of the City of Southampton Local Plan Review (Amended 2015).

Appendix attached	
1	Development Plan Policies

Recommendation in Full

Conditionally approve

Background

This application has been amended twice since its validation. Neighbours were re-notified of each amendment, mainly in relation to the proposed rear deck, and this report reflects the current position in respect of the proposal and highlights those additional comments received from affected third parties.

1. The site and its context

- 1.1 The application site comprises of a linked detached two-storey dwellinghouse lying to the west of Athelstan Road. The existing dwelling has a hipped slate tiled roof with brick elevations, an existing flat roof rear single storey extension, and flat roof attached garage, which links to the neighbouring flat roof garage. The property itself has a long rear garden with an existing patio that spans the width of the rear elevation. The garden level falls away sharply from the rear of the dwelling and abuts onto an area of woodland and protected trees immediately south of the property boundary. The wider area is residential in character and is formed by a variety of housing styles which include small, stepped terraces to the rear.

2. Proposal

- 2.1 The application proposes the erection of a first floor side extension above the existing garage, the insertion of a side dormer window to facilitate a loft conversion and the provision of a raised decking/terrace area to the rear. The latter has been amended since submission.
- 2.2 The proposed first floor side extension would be sited above an existing flat roof garage. The proposal would extend up to the boundary with the neighbouring property, No. 156 Athelstan Road, and would be set back from the front elevation by approximately 1.8m. The proposal incorporates a mono-pitched cat slide roof. The new first floor would accommodate a new study and a playroom and would be provided with windows in the front and rear elevation.
- 2.3 In order to facilitate the conversion of the roofspace into habitable accommodation, the application also proposes the erection of a dormer on the north facing roof slope, which would be set down from the ridge line of the main roof by approximately 1.5m and set back from the eaves by approximately 0.3m. Associated roof alterations would create a barn-style roof form at the rear and provide a second floor window in the rear roof slope. A Juliet balcony is also proposed to serve this window.
- 2.4 The application also proposes a raised terrace platform to the rear of the dwelling, which would extend the existing raised steps on the southern side of the dwelling, around the rear (west) elevation of the property. The proposed raised terrace would extend approximately 1.5m from the existing rear elevation. The steps into the garden would be located to the west of the terrace and face down the garden. The terrace would be supported on stilts at a height of 2.3m from the ground level of the garden to the bottom of the terrace. The Panel should note that the application was submitted with a deck that extended across the full width of the site, but following objections the applicant has removed part of the deck nearest 160 Athelstan Road and added a privacy screen. This neighbour has since removed their objection to this part of the proposal.

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). The most relevant policies to these proposals are set out at **Appendix 1**.
- 3.2 The National Planning Policy Framework (NPPF) was revised in June 2019. Paragraph 213 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. Relevant Planning History

- 4.1 There is no recent planning history for this property:
1542/E8 - Erection of a single storey rear extension
Conditionally Approved (CAP) – 05.07.1978

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 7 representations have been received from 6 neighbouring addresses. The following is a summary of the points raised:
- 5.2 ***The proposal would reduce the property value of Nos. 117, 119, and 121 Athelstan Road.***
Officer Response
The loss of property value is not a material planning consideration and cannot be taken into consideration in the decision making process.
- 5.3 ***The proposal would result in an unacceptable loss of light to 117 Athelstan Road***
Officer Response
Due to the orientation, proximity and relationship of the application property to properties on the other side of Athelstan Road, the proposed works are not considered to result in a loss of light.
- 5.4 ***The proposal represents overdevelopment of the site.***
Officer Response
With the exception of the extension to the raised terrace, the majority of the proposed works would not result in an increase of the footprint of the dwellinghouse and covers much less than 50% of the site area. The site would retain a large, usable rear garden and, as such, the proposed scheme is not considered to result in overdevelopment of the site.
- 5.5 ***The proposal is out of character for the area.***
Officer Response

It is not uncommon for properties to be extended along Athelstan Road and many have taken advantage of views across the valley by erecting rear terracing. The proposed catslide style roof is exhibited among other dwellings along Athelstan Road. Similarly, the proposed side extension is set back from the front elevation, avoiding the creation of a terracing effect within the streetscene (as required by the Council's Residential Design Guide). The proposed dormer would incorporate materials that would either match, or be similar in appearance to the existing dwelling. Overall, while changes are proposed, the development is not considered inappropriate and will have a negligible effect on the character of the application site and the wider surrounding area, whilst improving the accommodation on offer to the applicant.

5.6 ***The proposal would result in the loss of a view from No. 119 Athelstan Road.***
Officer Response

The loss of a private view is not a material planning consideration and cannot be taken into consideration in the decision making process.

5.7 ***The proposal would extend into the neighbouring site at 156 Athelstan Road.***
Officer Response

Amended elevation plans have been received which demonstrate that the width of the proposed side extension has been reduced and would not extend beyond the red boundary line of the application site.

5.8 ***The proposal would result in a loss of privacy with respect to No. 156 and No. 160 Athelstan Road.***
Officer Response

The proposed raised terrace would extend approximately 0.5m from the rear of the existing patio. Due to the change in levels towards the rear of the site, which is shared by the immediate neighbours, there is an existing degree of overlooking into rear gardens. By virtue of a change in levels from east to west, the neighbouring property at 160 is sited at a higher level than the application site. As such, the proposed raised terrace is not considered to result in a loss of privacy. Following a change to the deck this neighbour has removed their initial objection.

In terms of the impact upon 156 Athelstan Road, the proposed terrace adjacent to the neighbouring property has been reduced in width by approximately 2.5m to reduce the degree of overlooking, and will extend a similar distance into the rear garden as the neighbouring dwelling. On balance, the proposal is not considered to decrease the level of privacy currently enjoyed by neighbouring occupants.

The introduction of a Juliet balcony at second floor would provide natural daylight and outlook for the additional living accommodation. It is not considered that the introduction of a Juliet balcony will result in a significantly harmful increase in overlooking with respect to the current arrangement of habitable rooms.

6.0 Planning Consideration Key Issues

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

- The principle of development;
- Design and effect on character;
- Residential amenity;
- Impact on Parking

6.2 Principle of Development

6.2.1 The application site lies within an urban area in which dwellings in the immediate and nearby area have been extended and modified overtime, and where the basic principle of further development is considered to be acceptable. The planning assessment must now consider whether the nature, design and impact of the proposal are appropriate and in accordance with relevant Local Plan policies and supplementary guidance

6.3 Design and effect on character

6.3.1 The proposed catslide style roof of the side extension is designed to achieve a subservient and sympathetic extension to the existing property. The proposed side extension would set back from the front elevation, avoiding the creation of a terracing effect within the streetscene. Within the converted roof space, a new side dormer window is proposed. The dormer window is considered modest in terms of scale and design, incorporating a set-down from the ridge line of the main roof and a set-back from the eaves. The dormer would be framed by the roof and would not result in a prominent and unsympathetic addition to the property and is therefore considered to be an appropriate addition to the existing dwelling.

6.3.2 The proposed changes to the roof form at the rear of the dwelling and the raised terrace would not be visible from the adjacent highway and are not considered to have a harmful impact upon the character of the area. The use of outdoor and raised terraces are common features of neighbouring properties in order to negate the sharp slope from the rear elevations to the garden areas. These typically involve a platform outside rear doors or patio doors and steps leading to the rear garden. Whilst the proposed terrace would result in a 1.5m deep platform and span the rear and part of the side elevation, it is not considered the formation of a terrace to this depth or width or width would be out of keeping or harmful to the visual amenities of the area. External facing materials would either match or be similar in appearance to the external facing materials of the existing dwelling.

6.3.3 On this basis it is not considered inappropriate and will not have a harmful effect on the character of the application site and the wider surrounding area.

6.4 Residential amenity

6.4.1 The proposed raised terrace would extend approximately 1.5m from the rear of the existing dwelling and wrap around the southern side of the property. At present there is an existing set of steps and platform located on the southern side of the property, which leads to a raised patio area immediately outside of the rear elevation. There is a large gap between the rear patio doors and the ground level of the patio. The proposed works would involve the extension of the raised platform around the southern and western side (the rear of the property) of the dwelling to create a raised terraced area, access directly from the rear elevation. The raised terrace would have a depth of 1.5m from the rear elevation and would be located approximately 2.3m above the ground of the rear garden. Steps would lead down from the terrace to the rear garden area. The application has been amended during the course of the application to reduce the width of the terrace on the northern side (adjacent to 156 Athelstan Road) by approximately 2.5m in order to mitigate concerns of overlooking from the extended terrace. Whilst this neighbour still

objects to the application the neighbour at 160 has written in to remove their concerns about the rear deck.

- 6.4.2 A number of neighbouring properties have raised concerns regarding overlooking and loss of privacy from the extended terrace, particularly towards the north whereby properties are located lower than the application site. However due to the change in levels towards the rear of the site, there is an existing degree of overlooking into rear gardens from the ground and first floor windows of the application site. The raised terrace would mitigate the sharp drop in land levels from the rear patio doors to the garden. In terms of the impact on No. 160 (to the south of the application site), there is an existing terrace and set of steps serving this property. Given that this neighbouring property is sited at a higher level than the application site and the neighbouring terrace extends to a similar depth to that of the proposed terrace, it is not considered that the proposed raised terrace would result in a loss of privacy to that property.
- 6.4.3 No. 156 Athelstan Road (to the north) sits on lower land than the application site. The proposed terrace would project a similar distance into the rear garden than that at the neighbouring dwelling. The proposed terrace has been amended so it does not extend up to the northern boundary and retains a gap of approximately 2.5 between the edge of the terrace and the boundary. In addition, a privacy screen has been added to this side of the terrace to ensure that there are no direct views from the terrace to the north and overlooking the garden and terrace of No.156. Subject to a condition securing retention of the privacy screen, the proposal is not considered to result in a significant loss of amenity to the occupiers of the neighbouring property.
- 6.4.4 The proposals also include minor roof alterations to allow the insertion of a rear second floor window and the introduction of a Juliet balcony to provide natural daylight and outlook for the additional living accommodation. It is not considered that the introduction of a Juliet balcony results in a significantly harmful increase in overlooking given that first floor rear windows already result in a degree of overlooking. Therefore this alteration is considered to be acceptable and would not be detrimental to the amenities of neighbouring residents.
- 6.4.5 The proposed first floor side extension comprises of a cat slide roof which pitches away from the neighbouring property at 156 Athelstan Road. Whilst the extension partially infills a gap between these linked detached dwellings, the use of the cat slide roof and its set back from the front elevation by 1.8m would ensure that the side extension would not be dominant or overbearing to the neighbouring property. There is a small window located within the side elevation of No.156 located above attached garage but below the first-floor windows. At this irregular height, it appears to serve a stairwell in the neighbouring property and is therefore not a habitable room. In combination with the use of the cat slide roof pitching away from this window it is not considered that the first-floor extension would result in a loss of privacy or loss of light to this window and would be detrimental to their residential amenity.
- 6.4.6. The proposals also include the insertion of a second floor side dormer window to facilitate the conversion of the loft space. The dormer is positioned to look out on to the side elevation of the neighbouring property but would not contain any windows. On this basis, the proposals are considered to be acceptable in terms of its impacts on neighbouring properties and their amenity.

6.5 Impact on Parking

- 6.5.1 The proposed works would result in a 3 bedroom dwelling. The existing driveway and attached garage are capable of accommodating the required off street parking. On this basis parking provision in accordance with the councils parking guidance.

7. Summary

- 7.1 The proposal is not considered to have a detrimental impact upon the character and appearance of the existing dwelling and the surrounding area, in accordance with saved policies CS13 of the City Council Local Development Framework Core Strategy, and, saved policies SDP7 and SDP9 of the City of Southampton Local Plan Review (amended 2015).

- 7.2 While the proposed scheme would have an impact on the neighbouring properties at No. 156 and No. 160 in terms of overlooking and privacy, on balance this is not considered to amount to significant harm to residential amenity given the extent of existing levels of overlooking from ground and first floor windows and the sloping topography of the site. The scheme amendments, outlined above, have led to the removal of the deck adjacent 156 and the removal of an objection from 160. Therefore the proposals would comply with Policy SDP1 of the City of Southampton Local Plan Review (amended 2015) and the guidance contained within the National Planning Policy Framework. As such, officers recommend approval of the application.

8. Conclusion

- 8.1 It is recommended that planning permission be granted subject to the 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)

LT for 14.07.2020 PROW Panel

PLANNING CONDITIONS

Full Permission Timing Condition (Performance)

- 1) 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).

Approved Plans

- 2) 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.

Materials as specified and to match (Performance Condition)

- 3) The materials and finishes to be used for the external walls, windows (including recesses), drainage goods and roof in the construction of the development hereby permitted, shall be as specified on the approved plans. Where there is no materials specification on the approved plans, the materials 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.

Obscure Glazing (Performance Condition)

- 4) All windows in the side elevations, located at first floor level and above, in the side elevations of the development hereby approved, shall be obscure 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.

No other windows or doors other than approved (Performance Condition)

- 5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order), no windows, doors or other openings, other than those expressly authorised by this permission, shall be inserted above ground floor level in the side elevations of development hereby permitted without the prior written consent of the Local Planning Authority.

Reason: To protect the amenities of the adjoining residential properties.

Privacy Screen (Performance Condition)

- 6) The 1.7m high privacy screen shown on the amended deck shall comprise of obscure glazing or a close board fence and shall be installed to the northern side of the approved decking, as shown on the amended plans, prior to the first use of the decking hereby approved. Once installed, the privacy screens shall thereafter be retained and maintained as such at all times.

Reason: To prevent overlooking & loss of privacy to neighbouring property.

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

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)

Other Relevant Guidance

The National Planning Policy Framework (2019)