

**Planning and Rights of Way Panel 31<sup>st</sup> October 2023**  
**Planning Application Report of the Head of Transport and Planning**

<b>Application address:</b> 39 Meadowmead Avenue Southampton			
<b>Proposed development:</b> Erection of a part two-storey, part single storey side/rear extension, single-storey front extension, and a hip to gable roof enlargement and provision of rear dormer facilitating loft conversion.			
<b>Application number:</b>	23/01099/FUL	<b>Application type:</b>	FUL
<b>Case officer:</b>	Rob Sims	<b>Public speaking time:</b>	5 minutes
<b>Last date for determination:</b>	03.11.2023	<b>Ward:</b>	Millbrook
<b>Reason for Panel Referral:</b>	Five or more letters of objection have been received	<b>Ward Councillors:</b>	Cllr J Moulton Cllr C Cox Cllr S Galton
<b>Applicant:</b> Mr Mohammed Shamim		<b>Agent:</b> Mr David Windsor	

<b>Recommendation Summary</b>	<b>Conditionally approve</b>
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<b>Community Infrastructure Levy Liable</b>	<b>Not Applicable</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. 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 (revised 2023).

<b>Appendix attached</b>			
1	Development Plan Policies	2	Relevant Planning History

**Recommendation in Full**

**Conditionally approve**

## 1. The site and its context

- 1.1 The application site contains a semi-detached, two storey family dwelling house. The property is located in a residential area with predominantly detached dwelling houses and a suburban character.

## 2. Proposal

- 2.1 The proposals seek planning permission erect single storey side, front and rear extensions and two storey side and rear extensions. In addition, the proposals involve hip to gable roof enlargements with the provision of rear dormer facilitating loft conversion.
- 2.2 This application is a resubmission of 20/01532/FUL, which was granted planning permission in March 2021 for the same description of the proposals. Amendments to that permission are now sought with the current application.
- 2.3 The differences between the previous (extant) permission and this application are:

- Changes to the roof design of the single storey front and side extensions
- Increase in the height of the single storey rear extension (from 2.7m to 2.9m)
- Reduction to the depth of the rear extension (from 5.8m to 4.7m)
- Change in design of the rear dormer
- Alterations to fenestration arrangement
- Retention of chimneys

These changes should be assessed in the knowledge of the originally approved fallback.

## 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 2023. 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. Relevant Planning History**

- 4.1 A schedule of the relevant planning history for the site is set out in **Appendix 2** of this report.
- 4.2 This application is a resubmission of 20/01532/FUL, which granted planning permission in March 2021 for the same description as these proposals.

#### **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 **5 representations** have been received from surrounding residents. The following is a summary of the points raised:
- 5.2 The scale and nature of the redevelopment is unprecedented and establishes a worrying precedent of overdevelopment for the area.

##### **Response**

**Overdevelopment and impact on the character and appearance of the area will be considered in the assessment section below**

- 5.3 Loss of light and outlook to No.41. overlooking of north side window/study. Overbearing impact on 37 – height and siting of the extension is obtrusive and results in overlooking.

##### **Response**

**Impacts on neighbouring properties and amenity will be considered in the assessment section below.**

- 5.4 Many houses in Meadowmead Avenue have 3 or more cars or larger vehicles and parking is already becoming a problem so even with the conversion of the front garden and drive parking would still be an issue. The extensions adds to the infilling of driveway spaces and incremental terracing over of the Avenue.

##### **Response**

**Impact on parking and amenity will be considered in the assessment section below.**

- 5.5 Other Matters

- Further damage to adjoining properties during building
- Further loss of quality of life and right to good use of adjoining properties

- during building
- The chimneys are not included on the existing elevation plans
- Problems of non compliance with planning application (see enforcement notice)
- Construction of elevated patio to rear of rear single storey extension beside 'garden store' (trenching and infilling of garden already undertaken)
- Future application for use of property as HMO (information and design of property)
- Loss of value of adjoining properties and other properties in Meadowmead Avenue.

**Response**

- **Damage to neighbour properties during construction is a third party issue**
- **Chimneys are shown on the amended plans.**
- **Amended plans have been received reducing the depth of the garden storey**
- **The application does not propose a change of use to a HMO which would in itself require permission**
- **Loss of property value is not a material planning consideration.**

**Consultation Responses**

5.4	<b>Consultee</b>	<b>Comments</b>
	Cllr Jeremy Moulton	I would like to object to this application, due to overdevelopment and the impact it will have on the neighbouring property, No.37. See the photo in the attached email.

**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;
- Parking highways and transport

6.2 Principle of Development

6.2.1 The application seeks erection of a two storey side extension, part single/part two storey rear extension and single storey front extension and hip to gable roof enlargement and provision of rear dormer primarily to create 4 bedrooms and a bathroom at first floor. The existing loft has already

been made habitable, however the proposed hip to gable extension and rear dormer would enlarge this space and provide internal access through a first floor staircase. During the course of the application, amended plans have been secured which reduced the depth of the first floor side extension and the single storey rear extension. In particular the rear extension proposed to join the garden store, which would have resulted in a substantial single storey addition to the rear. The separation of the rear extension from the store significantly improves the proportions of the ground floor footprint and avoids overdevelopment of the plot. Likewise the amendments to the size of the first floor extension reflect the siting and size of the extension previously approved. The differences between this application and the previously approved scheme (still extant) are:

- Changes to the roof design of the single storey front and side extensions
- Increase in the height of the single storey rear extension (from 2.7m to 2.9m)
- Reduction to the depth of the rear extension (from 5.8m to 4.7m)
- Change in design of the rear dormer
- Alterations to fenestration arrangement
- Retention of chimney

### 6.3 Design and effect on character

6.3.1 The officer's report that considered the previous application concluded that:

*The proposed one and two storey side extensions would infill the gap between the side elevation and the side boundary. A key consideration is whether the side extension would creating a terracing affect on the street and impact negatively on the character and appearance of the area. Paragraph 2.3.3 of the Residential Design Guide states that: 'Extensions to the side of a house should avoid creating a terracing effect, in areas characterised by semi or detached housing.' The RDG goes on to state in para 2.3.5: 'where building up to the boundary is unavoidable, then the front of the extension should be set back to a level in keeping with the character of the existing house and wider area. Extensions should not project the beyond the existing building line of the house (this does not include porches or bay windows)'. In this instance, although the proposed two storey side extension infills the gap between the side elevation and the boundary, the two storey element is set well back from the front elevation and is kept to single storey. This enables differentiation between the front of the two storey properties and enables the extensions to be read more sympathetically within the street scene. It also follows the example of a two storey side extension at No. 45 Meadowmead Avenue (16/00523/FUL), where a similar extension was approved. On this basis the siting, size and design of the proposed two storey extension is considered to be acceptable.*

6.3.2 The proposed changes do not significantly differ from those previously approved under the extant scheme. The changes proposed represent an improvement to the design of the individual elements of the scheme and are

considered to help integrate them with the existing property and the street scene. On this basis it is not considered that they would result in a harmful impact on the character and appearance of the existing property or its relationship within the street scene, or result in an overdeveloped plot. As such, the current application is considered to conform to the Development Plan's design policies as supported by the RDG.

#### 6.4 Residential amenity

6.4.1 The key issues in this respect is whether the proposal would impact on neighbouring houses and gardens in terms of:

- The level of daylight and sunlight currently enjoyed;
- The level of privacy and;
- The outlook.

The previous assessment of application 20/01532/FUL concluded that: *'it is not considered that the amended proposals would have a particularly harmful impact on the amenities of neighbouring properties either side of the host dwelling.'*

Prior to securing amendments on this application, the proposals sought a longer and deeper first floor extension and sought to combine the rear single storey extension with the garden store building. Concerns were raised that these enlargements would be harmful to neighbour amenity and the character and appearance of the street scene. Amended plans have now been secured to reduce the depth of the first floor rear extension and to separate the single storey extension from the existing store outbuilding. This separation now avoids an elongated addition along the side boundary.

In addition, the proposed single storey extension is shorter in depth (4.7m) than the previously approved 5.8m extension. Whilst the proposed extension would be higher than previously approved (2.9m), the reduction in depth and previous conclusion that the proposals would not breach a 45° line taken from the quarter-point of the neighbouring window (at No. 41, who also has had a rear extension), would ensure there would be no further impacts on neighbour amenity than previously considered. Likewise the impacts from the two storey additions would remain acceptable. Concern was raised regarding the position of the ground floor high level window in the northern elevation. A condition will be imposed to ensure this window is obscured glazed and non opening in order to avoid overlooking. Conditions are also imposed to ensure there is no additional windows and first floor windows are restricted to obscure glazed only.

On this basis, subject to conditions the proposals are considered to be acceptable in terms of its impacts on neighbouring properties and their amenity and the scheme therefore accords with saved Local Plan Policy SDP1(i).

## 6.5 Parking highways and transport

6.5.1 The proposed works would result in a 5 bedroom dwelling – four bedrooms at first floor and a bedroom in the loft, which would normally require 3 parking spaces if the application were for a new dwelling. The existing driveway is only laid out to provide one car parking space due to the single width access point. However the site looks capable of providing more car parking spaces and the wider site appears capable of accommodating one more off road parking. Meadowmead Avenue is not subject to Traffic Regulation Order and there appears to be various spaces along the road to accommodate on street parking. The requirement for an additional parking space on site could be secured through a planning condition, with the additional parking space being capable of being absorbed into the wider street. Subject to compliance with this condition the proposals are considered to be acceptable in terms of car parking.

## 8.0 Conclusion

8.1 It is recommended that planning permission 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 **Rob Sims** PROW Panel 31.10.2023

## PLANNING CONDITIONS

### **1) Full Permission Timing Condition (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).

### **2) 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.

### **3) Obscure Glazing (Performance Condition)**

All windows in the side elevations, located at first floor level and above, and in the ground floor northern elevation of the hereby approved development, shall be obscurely 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.

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

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.

**5) 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.

**6) Parking**

No part of the development hereby permitted shall be first occupied until a minimum of two off road car parking spaces have been constructed and laid out on the front driveway. The extended driveway shall be constructed with porous materials. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: In the interests of ensuring sufficient car parking on-site to meet the needs of the development.



**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  
SDP9 Scale, Massing & Appearance  
SDP10 Safety & Security  
SDP11 Accessibility & Movement  
SDP12 Landscape & Biodiversity  
SDP16 Noise

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)  
Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework (2023)

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**Relevant Planning History**

<b>Case Ref</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
20/01512/PLDC	Application for a Lawful Development Certificate for a proposed outbuilding.	Approved	18.12.2020
20/01532/FUL	Erection of a two storey side extension, part single/part two storey rear extension and single storey front extension and hip to gable roof enlargement and provision of rear dormer.	Conditionally Approved	14.05.2021
21/00906/FUL	Erection of a two-storey side extension and part two-storey and single-storey rear extension and erection of front porch with associated roof works(hip to gable roof enlargement) and installation of rear dormer	Withdrawn	29.07.2021
23/00967/NMA	Non-material amendment sought to planning permission ref 20/01532/FUL for an increase in height of rear extension from 2.2m to 2.9m.	Withdrawn	16.08.2023