



Appeal Decision

Site visit made on 29 January 2018

by Joanna Reid BA(Hons) BArch(Hons) RIBA

an Inspector appointed by the Secretary of State

Decision date: 9th February 2018.

Appeal Ref: APP/D1780/W/17/3189280

Room 6, 25 Howard Road, Southampton SO15 5BB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by JSR Estates Ltd against the decision of Southampton City Council.
 - The application Ref 17/00801/FUL, dated 15 May 2017, was refused by notice dated 23 August 2017.
 - The development proposed is "rear dormer window and 3 roof windows".
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Decision

1. The appeal is allowed and planning permission is granted for "rear dormer window and 3 roof windows" at Room 6, 25 Howard Road, Southampton SO15 5BB in accordance with the terms of the application, Ref 17/00801/FUL, dated 15 May 2017, subject to the following condition:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: 2017/01 and 2017/02.

Preliminary matters

2. The description of the proposal on the application form included the words "retrospective permission for". These words have not been included in the banner heading because they are not an act of development as defined under section 55 of the *Town and Country Planning Act 1990* as amended (the Act). I shall deal with the appeal as though it were for an application made under Section 73A of the Act, which states that planning permission may be granted for development carried out before the date of the application without planning permission. Permission may be granted from the date on which the development was carried out.
3. The roof lights and rear-facing dormer are largely complete, but the interior building works for the proposed staircase and second floor accommodation, which includes a living room, landing and en-suite bathroom, are incomplete. From what I saw, the development that has been built reflects the development that is shown on the application plans.

Main issue

4. The main issue is the effect that the development has and would have on the character and appearance of the existing building at 23 and 25 Howard Road.

Reasons

Character and appearance

5. The appeal site includes a large semi-detached former villa that now includes several residential units, which is situated in a mainly residential area. Although there are minor differences in their detailed appearance, the overall symmetry in the form and composition of the semi-detached pair at 23 and 25 Howard Road contributes positively to its character and appearance. This symmetry is also important to the street scene in the nearby part of Howard Road, which includes similar semi-detached buildings and detached buildings.
6. Room 6 is presently a first floor bed-sit. With the roof extension, Room 6 would become a one-bedroom flat with an en-suite bathroom. Although the outlook from its living room would include mainly high level views through the front and side facing roof lights, the increase in living space would much improve its occupiers' living conditions. The Council has not raised concerns about the appearance of the front and side facing roof lights, and I agree.
7. The rear-facing flat roofed dormer is set well down below the main roof ridge, it reflects the hipped form of the side of the main roof and it is only a little taller than the ridge of the paired back outshoot at 23 and 25 Howard Road. Thus, it is well integrated with and subordinate to the main roof. It can barely be seen in the narrow gap between 25 and 27 Howard Road, so its form and siting respect the symmetry in the building at 23 and 25 Howard Road in views from Howard Road.
8. The dormer can also be glimpsed from Atherley Road in the gap between the back of the building at 27 and 29 Howard Road, which is on the corner of Howard Road and Atherley Road, and 40 Atherley Road. However, the dormer is a substantial distance away. It is set well back from the prominent back outshoot at 23 and 25 Howard Road, and it is seen behind the stepped rear outshoots at the back of 27 Howard Road. Due to its matching roof tiles and hanging tiles, it blends well with the existing roof finish at 25 Howard Road. So, the dormer harmonises with the character and appearance of the appeal building and the wider area. Moreover, due to the angle of view, the loss of symmetry that the dormer causes to the overall roof form at 23 and 25 Howard Road is almost imperceptible in that street scene gap.
9. The dormer can also be seen by some nearby occupiers of the building and grounds at 27 and 29 Howard Road. However, because the design of the dormer respects the existing main roof form at 23 and 25 Howard Road, it is shallow in depth, and it is barely taller than the existing long back outshoot, the dormer is sympathetic to the character and appearance of the building.
10. The general symmetry at the back of 23 and 25 Howard Road can only be clearly seen in the same view from the far end of the good-sized back garden by the side boundary with 23 Howard Road, and from the handed position at 23 Howard Road, due to the depth and scale of the paired back outshoot. The building is partly screened by boundary treatment by the end of the adjoining back garden at the back beyond them, so the dormer would have little visual impact there. Thus, the modest loss of symmetry in the form of the building can scarcely be appreciated from its surroundings at the back of 23 and 25 Howard Road. Furthermore, due to the scale and form of the existing back outshoot, the minimal rise of the shallow dormer above its common ridge

would have little or no visual impact in most views from the back garden at 23 Howard Road, or from the adjoining back garden further along Howard Road.

11. Therefore, the development does not and would not harm the character and appearance of the building at 23 and 25 Howard Road. It satisfies and would satisfy Policy SDP 1 of the *City of Southampton Local Plan Review* (LP) which aims to not unacceptably affect the amenity of the city and its citizens, Policy CS 13 of the *Southampton City Council Local Development Framework Core Strategy Development Plan Document*, LP Policy SDP 7 and LP Policy SDP 9 which seek good design and/or respect for context, and advice in the *Southampton City Council Residential Design Guide*. It also satisfies and would satisfy the *National Planning Policy Framework* (Framework) which aims to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Other matters

12. Concerns raised by interested parties include increased parking pressure in the nearby streets. However, as the number of residential units and occupiers would not change, more parking should not be required. Structural stability, party walls and drainage are subject other legislation including the Building Regulations, so they are not relevant matters. Moreover, as the existing bedsit would become a one bedroom flat, there should be no material increase in occupancy, noise, disturbance, or demand for refuse and recycling collection and other services. None of the other points raised outweigh the planning considerations that have led to my conclusion. Therefore, planning permission should be granted subject to the imposition of appropriate planning conditions.

Conditions

13. The Council's suggested conditions have been considered in the light of Framework paragraph 206 and Planning Practice Guidance. The condition for compliance with the approved plans is necessary for certainty, so it has been imposed. The cill of the side facing roof light would be 1.7 m above the finished floor level of the living room, which would protect the neighbouring occupiers' privacy. As there would, thus, be no need for the roof light to be fixed shut or obscure glazed the condition has not been imposed.

Conclusion

14. For the reasons given above and having regard to all other matters raised, the appeal succeeds.

Joanna Reid

INSPECTOR