

**Planning and Rights of Way Panel 24<sup>th</sup> January 2023**  
**Planning Application Report of the Head of Planning and Transport**

<b>Application address:</b> 6 Crofton Close, Southampton			
<b>Proposed development:</b> Erection of a two storey and first floor side extension including loft conversion and provision of additional hardstanding.			
<b>Application number:</b>	22/01188/FUL	<b>Application type:</b>	FUL
<b>Case officer:</b>	Craig Morrison	<b>Public speaking time:</b>	5 minutes
<b>Last date for determination:</b>	17.10.2022 Extension of Time 27.01.2023	<b>Ward:</b>	Portswood
<b>Reason for Panel Referral:</b>	Five or more letters of objection have been received	<b>Ward Councillors:</b>	Gordon Cooper Lisa Mitchell John Savage
<b>Applicant:</b> Mr & Dr R & E Hormozi & Jaberansary		<b>Agent:</b> GT Designz LTD	

<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 (2021). Policies CS13 and CS20 of the of the Local Development Framework Core Strategy Development Plan Document (Amended 2015). Policies – SDP1 of the City of Southampton Local Plan Review (Amended 2015).

<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 is located within Crofton Close, which is a development

constructed in the 1990s with an open plan design. Properties within Crofton Close are two storey with red and buff brick elevations and occasional white render and hanging tiles and concrete tiled roofs. The majority of properties have integral garages with some detached garages to the front of properties. Some of properties have rooflights which indicate they have had loft conversions.

- 1.2 Property frontages primarily include modest setbacks, and gardens are primarily laid to lawn with occasional areas of shrub and small tree planting as well as areas for parking for individual properties.
- 1.3 Mature trees that surround the development can be seen in gaps between properties where single storey elements such as detached garages punctuate the streetscene. This forms part of the character of the development.
- 1.4 6 Crofton Close is a two storey 4 bedroomed detached property with red brick elevations, a 2 storey rendered bay window and a single attached garage, which measures 2.3 metres by 5.4 metres. An area of hardstanding is available to the front of the property used for the parking of two vehicles.

## **2. Proposal**

- 2.1 The proposal is to extend the property to the side with a first floor extension above the existing garage, and a two storey extension behind the existing garage. To the front the roof takes a 'cat-slide- form and contains a dormer window; the front of which lines up with the front elevation of the house. The roof of the extension has a barn hipped design to match that of the existing house. The proposed extension has a ridge height of 7.9 metres (0.8 metres below the ridge height of the host dwelling at 8.7 metres).
- 2.2 It is further proposed to convert the existing roof space to form two bedrooms (thereby increasing the offer from 4 to 6). No extension to the roof is proposed; although three rooflights would be added to the front roof slope and three to the rear. The lowest part of the rooflight would be 2.3 metres above the eaves level of the roof, and the plans state that the rooflights will be a minimum of 1.7 metres above the internal finished floor level.
- 2.3 The proposed block plan shows an extended area of hardstanding measuring 9 metres in width and a minimum of 9.4 metres in depth from the shared access road. This would require the loss of a number of small conifer trees currently located in the front garden of the property. These conifers are not protected and can be removed without further approvals.

## **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 Saved Policy SDP1 (Quality of development) of the Local Plan Review seeks development that would not unacceptably affect the health, safety and amenity of the city and its citizens. Policies SDP7 (Context) and SDP9 (Scale, massing and appearance) of the Local Plan Review, and policy CS13 (Fundamentals of Design) of the Core Strategy, assesses the development against the principles of good design and seek development which respects the character and appearance of the local area. These policies are supplemented by design guidance and standards set out in the Residential Design Guide SPD, which seeks high quality housing, maintaining the character and amenity of the local area.

#### **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 The original planning consent for the development of the estate restricted the ability to extend the property utilising permitted development rights, however the works for the two storey extension would not be permitted development in any case so planning permission would always be required for such a proposal.

4.3 The original planning consent does not restrict the provision of additional areas of hardstanding (granted by Schedule 2, Part 1, Class F of the General Permitted Development Order).

#### **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 **15 representations** have been received from surrounding residents. 14 raised objection to the proposal and 1 is written in support. The following is a summary of the points raised:

##### *Comments Objecting*

5.2 ***The extension of the property could lead to it becoming a House in Multiple Occupation (HMO) in the future***

##### **Response**

These concerns are noted; particularly given the recent Planning history at both 5 and 6 Crofton Close. However, the application is submitted as a householder proposal and does not include a change of use within the description of works. Any permission granted would not allow for the proposal to change use from a C3 dwelling to a HMO. At the time of the case officer's visit the proposal appeared to be occupied as a family home. An informative can be added to the decision.

Any change of use to a HMO would require planning permission, and it is noted that the property is the subject of a dismissed Enforcement Appeal that found that the use of the property as a HMO would be out of character with the general area and would generate a greater requirement for car parking

5.3 ***The Owner has not paid Estate Management Charges***

**Response**

This is a civil matter between the Estate Management Company and the owner of the property, and is not a material consideration that can affect the outcome of this planning application.

5.4 ***The property requires maintenance and ivy on the inside of the chimney is a health and safety issue.***

**Response**

Whilst there is evidence of ivy growing on the chimney the property appeared to generally be in a reasonable standard of repair. Were the property to be in such a condition as to be causing harm to the character and amenity of the area Section 215 of the Town and Country Planning Act allows the authority to secure improvements to rectify the impacts. However, the condition of the property is not considered to meet the threshold of causing harm to the character or amenity of the area. In any case this is a not a matter that should delay the consideration of this application. The growth of ivy inside the chimney, and health and safety issues if it were to be used, is not a material consideration that is relevant to this decision.

5.5 ***The Proposal would lead to an increase in on-street parking***

**Response**

This is addressed further in this report however, in summary, the proposal meets the maximum parking standard for a property with more than 4 bedrooms, which is 3 spaces, such that it is not considered that a reason for refusal based on parking provision could be supported given that the scheme is supported by 1 garage, 2 existing off-street spaces and an additional space formed by extending the driveway (4 in total).

*Comments in Support*

5.6 ***Additional Parking is Providing to avoid further parking on the adjacent roads***

**Response**

A further area of car parking is proposed to allow for parking of 3 vehicles to the front of the property

5.7 ***The property is not used as a HMO property which it has been in the past.***

**Response**

At the time of the case officer's visit it did not appear that the property was in use as a HMO. A note to the applicant is added clarifying that a planning permission is required to convert the property to a HMO.

## **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 principle of extending residential properties is acceptable provided that any works proposed respect the character of the area, would not have an unacceptable impact on neighbouring occupiers and would provide sufficient parking. Subject to detailed consideration of these matters the proposal to provide extended living accommodation is considered to be acceptable.

### **6.3 Design and effect on character**

6.3.1 Criterion 1 of saved Policy CS13 of the LDF Core Strategy, and saved Policy SDP9 of the Local Plan require development to respond positively and integrate with its local surroundings, character and architectural vernacular as well as utilising quality materials. The Residential Design Guide supports Policy CS13 with section 2 "Maintaining Residential Standards" providing guidance in relation to extensions to existing properties.

6.3.2 In relation to side extensions the key design considerations are to ensure that the extension is subordinate to the original dwelling, that the extension would not create a terracing effect and they would leave adequate garden space for general use, daylight and outlook.

6.3.3 From the front of the property the extension maintains the ground floor eaves of the property with a cat-slide roof and a dormer window. The overall ridge height of the extension is 80 centimetres lower than the roof of the original part of the house. Whilst the rear of the extension meets the eaves of the second floor of the house it is considered that the use of the cat-slide roof and dormer allows the extension to remain subservient and sympathetic to the original dwelling.

6.3.4 In relation to the houses either side of the application site (5 and 7 Crofton Close to the south and north respectively), the application property is set back from the front elevation of both adjacent properties, which would avoid any terracing effect within the street scene. In any case the use of the cat-slide

roof and dormer on the front elevation provides visual separation between the front elevations of 6 and 7 Crofton Close such that there is considered to be no creation of a terracing effect in the streetscene.

- 6.3.5 The roof pitch of the extension, as well as the window openings on both the front and rear elevations match those in the existing dwelling and a condition is recommended requiring the materials used in the walls and roof to match those in the existing property. The provision of roof lights on the front and rear roof slopes, while not common in Crofton Close, would be discreet and would not detrimentally impact the character of the existing dwelling or the role it plays in the character of the area.
- 6.3.6 An additional area of car parking will be provided to the south of the existing driveway to create an additional car parking space. The loss of some small conifer trees is considered acceptable and, subject to a condition requiring replacement landscaping, the small amount of additional hardstanding would not be out of character with those provided elsewhere in Crofton Close.
- 6.3.7 For the reasons set out above, the scale, form and design of the proposed extension is considered to be acceptable and would respond positively and integrate with the site's local surroundings, character and architectural vernacular.

#### 6.4 Residential amenity

- 6.4.1 Saved Policy SDP1(i) of the Local Plan Review seeks to protect the amenities of all residents; including those surrounding the site. The property is located to the south of 7 Crofton Close. There are 2 glazed doors on the ground floor and 2 windows on the first floor facing the application site, located adjacent to the first floor extension. From review of the planning history the doors on the ground floor appear to serve a utility room and a garage. On the first floor the two side facing windows serve bathrooms. It is acknowledged, and confirmed by the submitted daylight and sunlight analysis, that there would be some loss of daylight and sunlight to these windows. However as the rooms affected are not habitable rooms it is considered that the overall impact on the amenity of 7 Crofton Close is limited. For the same reasons it is not considered that the proposal would have an overbearing impact on the neighbouring properties.
- 6.4.2 The additional windows in the rear elevation would allow views into neighbouring gardens, and in the case of the rooflights in the converted loft space form a higher vantage point, however, given that mutual overlooking between first floor windows and neighbouring gardens is already characteristic of the area it is not considered that the additional windows or higher vantage point of views would be significantly detrimental to neighbours' enjoyment of their gardens. The property to the rear is the same house type as 7 Crofton Close so the windows facing towards the application site are a garage and utility room on the ground floor and two bathrooms on the first floor. The impact in terms of any light lost is likely to be limited and

the upper rooms are already obscure glazed thereby protecting the occupants from overlooking from the proposed extension. As such this application is considered to satisfy Policy SDP1(i).

## 6.5 Parking highways and transport

6.5.1 Policies CS19 of the Core Strategy and SDP9 of the Local Plan seek to avoid providing parking in excess of the maximum standards as set out in the Parking Standards SPD. The application site is located outside of the High Accessibility Area and therefore the maximum requirement for a property with 4 or more bedrooms is for 3 car parking spaces.

6.5.2 A previous appeal on this site for a HMO was dismissed in part due to the propensity for additional pressure on car parking on Crofton Close, which is unsuitable for on-street parking due to the narrow width of the carriageway. The Property is already a 4 bedroomed property which requires 3 car parking spaces. The proposal would increase the number of bedrooms to 6. Given that the property may house a larger or inter-generational family, and where previous appeals have confirmed that the local area is not well served by public transport, it is considered reasonable to require the maximum car parking standard to be adhered to where it is currently deficient. The proposed site plan shows an additional car parking space to be shown to the left of the existing spaces which is of sufficient width and depth accommodate 3 car parking spaces of 2.4m x 5.0m in size. A condition requiring the car parking space to be provided prior to first occupation of the extension or loft conversion is recommended.

6.5.2 It is noted that previous appeals at the neighbouring property, 5 Crofton Close have been refused on the matter of parking and its potential impact on the character of the area. The concern with adding additional spaces, in relation to 5 Crofton Close, was that insufficient 'aisle width' which is the amount of space behind the parking space to manoeuvre within the shared driveway as this was below the standard 6 metre requirement. In this case there is a distance of 11 metres at its narrowest (where the new car parking space would be provided) from the far-side edge of the carriageway and the front of the garage which is sufficient to provide a car parking space of 5 metres and an aisle width of 6 metres. As such the 2 sites are not comparable and the proposed parking arrangement is acceptable.

## 6.6 Other Matters

6.6.1 The neighbouring property to the north has solar panels on the southern roof slope adjacent to the location of the proposed extension. It has been confirmed in case law that loss of light and resulting efficacy of solar panels on neighbouring properties is a material planning consideration. In planning policy terms, the loss of efficiency to solar panels would run against the objectives of Policy CS20 of the LDF Core Strategy.

6.6.2 Guidance from the British Research Establishment (BRE) sets out that solar

panels should not see a reduction of light below 90% of existing. It must be recognised that BRE target is not planning policy, but it does serve as a useful quantification of what may be acceptable. The applicant has commissioned a light assessment which shows that all panels in the neighbouring property would receive at least 91% of the light which reaches them prior to the development. It is therefore considered that the impact on the efficacy of the neighbouring solar panels would not be unacceptably reduced.

## **7. Summary**

7.1 The proposal for an extension in this location is considered to be acceptable in principle. The impact on neighbouring properties would be acceptable and sufficient car parking is proposed such that the proposal would not result in a significant adverse impact on the amenities of the local area or its residents.

## **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)

**Craig Morrison** for PROW Panel 24.01.23

#### **PLANNING CONDITIONS to include:**

##### **01. 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).

##### **02. 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

##### **03. Landscaping detailed plan (Pre-Commencement)**

Notwithstanding the submitted details, before the commencement of any site works a detailed landscaping scheme and implementation timetable shall be submitted to and approved by the Local Planning Authority in writing, which includes:

(i) car parking layouts; hard surfacing materials including permeable surfacing for the additional hardstanding where appropriate,

(ii) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules plants, noting species, plant sizes and proposed numbers/planting densities where appropriate;

(iii) a landscape management scheme.

*Note: Until the sustainability credentials of artificial grass have been proven it is unlikely that the Local Planning Authority will be able to support its use as part of the*



*sign off of this planning condition.*

The approved hard and soft landscaping scheme (including parking) for the whole site shall be carried out prior to occupation of the extension hereby approved or during the first planting season following the full completion of building works, whichever is sooner. The approved scheme implemented shall be maintained for a minimum period of 5 years following its complete provision, with the exception of boundary treatment and external lighting which shall be retained as approved for the lifetime of the development.

Any trees, shrubs, seeded or turfed areas which die, fail to establish, are removed or become damaged or diseased, within a period of 5 years from the date of planting shall be replaced by the Developer in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation. The Developer shall be responsible for any replacements for a period of 5 years from the date of planting.

Reason: To compensate for the loss of the existing conifers and improve the appearance of the site and enhance the character of the development in the interests of visual amenity, to ensure that the development makes a positive contribution to the local environment and, in accordance with the duty required of the Local Planning Authority by Section 197 of the Town and Country Planning Act 1990.

#### **04. Parking (Performance)**

The parking and access shall be provided in accordance with the plans hereby approved before the extension first comes into occupation and shall thereafter retained as approved for the lifetime of the development.

Reason: To prevent obstruction to traffic in neighbouring roads and in the interests of highway safety.

#### *Note to Applicant*

*The change of use of this family dwelling to a house in multiple occupation, where 3 or more unrelated people live, would require planning permission before the change of use taking place.*

**POLICY CONTEXT**

Core Strategy - (as amended 2015)

- CS13 Fundamentals of Design
- CS19 Car & Cycle Parking
- CS20 Tackling and Adapting to Climate Change

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

- SDP1 Quality of Development
- SDP5 Parking
- 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)

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**Relevant Planning History**

<b>Case Ref</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
900255/W/(6)	CHANGE OF USE OF OAKMOUNT HOUSE TO 4 FLATS REDEVELOPMENT OF REMAINING SITE BY ERECTION OF 33 HOUSES WITH ASSOCIATED CAR PARKING STRUCTURED LANDSCAPING OF OPEN SPACE	Conditionally Approved	29.08.1990
14/00034/APE NF	ENFORCEMENT APPEAL AGAINST UNAUTHORISED CHANGE OF USE FROM C3 TO A C4 HOUSE IN MULTIPLE OCCUPATION.	Appeal Dismissed	25.03.2015