

Planning and Rights of Way Panel 14th March 2023
Planning Application Report of the Head of Transport and Planning

Application address: 17 Lordswood Road, Southampton			
Proposed development: Erection of detached single storey garage with communal storage for 2 flats and refuse storage enclosure			
Application number:	23/00014/FUL	Application type:	FUL
Case officer:	Sam Kushner	Public speaking time:	5 minutes
Last date for determination:	15.03.2023	Ward:	Bassett
Reason for Panel Referral:	Five or more letters of objection have been received	Ward Councillors:	Cllr John Hannides Cllr Richard Blackman Cllr Les Harris
Referred to Panel by:	N/A	Reason:	N/A
Applicant: Mr D Dukes		Agent: N/A	

Recommendation Summary	Conditionally approve
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Community Infrastructure Levy Liable	No
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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	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 building containing two flats. Access to the first floor accommodation is via an external staircase on the northwest elevation of the property. The property is located in a residential area with predominantly semi-detached dwelling houses and a suburban character. Due to the nature of the development of Lordswood Close the properties are of a similar age, design and palette of materials that result in a strong sense of design character.
- 1.2 Parking is currently provided to the south east side of the site and is accessed from Lordswood Close. A prominent Yew tree sits at the junction of Lordswood Road and Close. This tree is not protected by a Tree Preservation Order (TPO). On the opposite side of Lordswood Road is Hollybrook Bank and allotments, which is a designated Site of Importance for Nature Conservation (SINC).

2. Proposal

- 2.1 The proposal is for a domestic garage and store, which would replace an existing bin store area. The garage would be single storey and would be located on sloping ground, measuring 8.6m long x 3.0m wide and a height of 3.9m to 4.6m. The bin store would be relocated to the front and have a maximum height of 1.2m.

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 Bassett Neighbourhood Plan (made 2016). 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. Relevant Planning History

- 4.1 A schedule of the relevant planning history for the site is set out in **Appendix 2** of this report.

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, and erecting a site notice on 26/01/2023. At the time of writing the report **9 representations** have been received from surrounding residents. The following is a summary of the points raised:

5.2.1 ***There could be additional issues with traffic and highway safety***

Response

SCC Highways officers were consulted and have raised no objection. Access to the site will not change. Given the siting of the proposed garage this is not adjudged to change highway safety.

5.2.2 ***Loss of trees/biodiversity***

Response

SCC Trees officers were consulted. No objection was raised. A condition can be imposed to prevent storage under the tree canopy.

5.2.3 ***Overdevelopment and effect on amenity***

Response

Material planning considerations including effect on amenity will be discussed in section 6 of this report.

5.2.4 ***The new building may be used as further accommodation***

Response

A condition will be imposed to ensure that the use of the outbuilding is incidental to the main dwellinghouse(s). Any change to self contained residential accommodation or business use would require a separate planning application which would be assessed on its own merit.

5.2.5 ***The application is in conflict with Bassett Neighbourhood Plan policies 1, 2, 4 & 9***

Response

The following policies from the Bassett Neighbourhood Plan are relevant and will be used to assess the appropriateness of the application:

BAS 1: An assessment on the character of the development will be carried out in section 6.

BAS 2: Consultation is encouraged but not required.

BAS 4: An assessment on the character of the development will be carried out in section 6.

BAS 9: The tree team have been consulted and have no objections

5.2.6 ***The applicant did not contribute to the resurfacing of the road***

Response

This is a civil matter and any previous private history of the applicant is not a material matter for the determination of a planning application.

Consultation Responses

5.4	Consultee	Comments
	Trees & Open Spaces	Possibility of foundations to be within roots zone of nearby Yew tree however this seems to be minimal and is not expected to cause any major impact. I have no objection to the proposal.
	Highways Development Management	No highways objections to the proposal for a garage and communal storage at 17 Lordswood Close. The driveway already benefits from a dropped kerb access from Lordswood Close which will be maintained, so no safety concerns. The current driveway can likely accommodate 5/6 parked cars, so the proposed garage and driveway layout merely formalises the parking with a clear path between parking spaces provided to maintain pedestrian access to the two flats.

6.0 Planning Consideration Key Issues

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

- Design and effect on character;
- Residential amenity;
- Parking highways and transport

6.2 Design and effect on character

6.2.1 The Bassett Neighbourhood Plan (BNP) states that 'development proposals should be in keeping with the scale - massing and height of neighbouring buildings, and with the density and landscape features of the surrounding area (BAS 1 (2)). Policy BAS 4 also requires that development '... take account of the existing character within the context of the street scene by, complimenting and enhancing the existing rhythm, proportion, height, scale, massing, materials, and storey height of its surroundings with regard to neighbouring properties and visual amenity'.

6.2.2 In terms of design and character, whilst the proposed garage is reasonably tall at 4.6m (due to the pitched roof design), it would be a single storey building, located a boundary which is well obscured from the road on Lordswood Road by trees and shrubbery. Likewise, it is set back from the street at Lordswood Close and would not appear overly dominant due to the location on the corner plot. There would still be adequate space between the proposed garage and the existing dwellinghouse building, and therefore would not compete or dominate the main residential building. Whilst the

garage would be located in front of the main building line, neighbouring properties within the close also have garages located to the front. Similarly they are also single storey and do not appear dominant or visually harmful to the street scene. On this basis the siting, scale and design of the proposed garage would be an appropriate and acceptable addition to the site and its surrounding area and, therefore, accords with the relevant design policies of the Development Plan, including the BNP.

6.3 Residential amenity

6.3.1 The proposed garage would be well set back from the street at Lordswood Close and would therefore not appear visually dominant. Whilst the outlook for no.17 would now include views of the proposed garage, the lounge has windows on the south east and south west aspects and therefore the garage would not result in a loss of outlook from these windows or reduce natural light to them.

6.3.2 Concerns have been raised by third parties that the building would be used for separate residential accommodation. The applicant has stated their intention to use the garage as a garage and associated domestic storage. Therefore it would not accommodate any separate residential or business use. A condition will be imposed to ensure that the use of the outbuilding is for incidental, non habitable use for domestic storage purposes and not for any residential or business use. Any change to the use of the accommodation would require a separate planning application.

6.4 Parking highways and transport

6.4.1 POLICY BAS 7 of the Bassett Neighbourhood Plan (2016) seeks to mitigate the impact of traffic within residential areas and advises that the 2011 Parking Standards SPD will be relevant for all new development proposals in respect of meeting the maximum parking standards. The existing site includes a large parking area to serve the existing flats. This would not be significantly reduced by the proposed garage and adequate car parking would remain. Four parking spaces would be maintained in addition to the garage. This is compliant with paragraph 4.2.1 of the Parking Standards Supplementary Planning Document (SPD) 2011. The Council's Highway Officer has been consulted and have raised no objections. Access is already gained from a dropped kerb on Lordswood Close therefore there is no material change in this regard.

7. Summary

7.1 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 residents living in Lordswood Close.

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)

Case Officer **Sam Kushner** 14.03.2023 PROW Panel

PLANNING CONDITIONS

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).

2.Use of garage – domestic ancillary use (Performance Condition)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (As amended) the garage hereby approved shall be made available and used at all times for the parking of domestic vehicles related to the residential use and for associated incidental domestic storage. At no time shall the garage be used for the parking of commercial vehicles or used for any trade, business, manufacturing or industrial purposes whatsoever and shall not be incorporated into the house as part of the domestic living accommodation.

Reason: To ensure that sufficient off-street car parking is available in the interests of highway safety and to protect residential amenity

3.Materials to match (Performance)

The garage hereby approved shall be constructed and retained in accordance with materials that shall match in all respects the type, size, colour, texture, form, composition, manufacture and finish of those on the existing building as stated on the plans 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.

4.No Storage Under Tree Canopy (Performance)

No storage of goods including building materials, machinery and soil, shall take place within the root protection areas of the trees to be retained on the site. There will be no change in soil levels or routing of services through root protection zones. There will be no fires on site within any distance that may affect retained trees. There will be no discharge of chemical substances including petrol, diesel and cement mixings within or near the root protection areas.

Reason: To preserve the said trees in the interests of the visual amenities and character of the locality.

5.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.

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
SDP4 Development Access
SDP5 Parking
SDP9 Scale, Massing & Appearance

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)
Planning Obligations (Adopted - September 2013)
Parking Standards SPD (September 2011)
Bassett Neighbourhood Plan (July 2016)

Other Relevant Guidance

The National Planning Policy Framework (2021)
The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

Relevant Planning History

Case Ref	Proposal	Decision	Date
03/01696/FUL	Alterations to existing dwelling house to provide 2 x 2 bedroom flats.	Application Refused	06.02.2004
04/00690/FUL	Conversion of the existing dwelling house into 2 x 2 bedroom flats with an external staircase on the North West elevation to first floor level and a bay window to the South East elevation.	Conditionally Approved	15.07.2004
05/00187/FUL	Erection of a bungalow	Application Refused	05.04.2005
05/01312/FUL	Erection of detached two-storey dwelling with associated car parking.	Application Refused	21.11.2005
06/00144/FUL	Erection of detached two-storey dwelling with associated car parking (resubmission)	Application Refused	27.03.2006
06/00290/FUL	Erection of detached single storey dwelling with associated car parking.	Withdrawn	26.06.2006
07/01782/FUL	Erection of a single storey structure at rear of property to be used as personal garage and storage.	Conditionally Approved	18.12.2007
09/00527/FUL	Erection of a single storey detached building for use as office (class B1a)	Withdrawn	06.07.2009
09/00892/FUL	Erection of a single storey detached building for use as office (class B1a)	Conditionally Approved	02.10.2009
10/00079/DIS	Application for approval of details reserved by conditions 2, 5, 7 and 14 of planning permission 09/00892/FUL relating to materials, vegetation retention/protection, noise and material storage	No Objection	08.04.2010
14/01107/FUL	Erection of a single storey side extension	Conditionally Approved	29.08.2014
19/00642/FUL	Erection of a two storey side extension with roof alterations including dormer to front to facilitate loft conversion to provide additional accommodation to two existing flats.	Application Refused	22.07.2019

20/01241/FUL	Erection of a 2-storey side extension and roof alterations including front dormer to facilitate loft conversion to enable conversion of existing building from 2x 2-bed flats to 3 flats (2x 2-bed and 1x 1-bed) with associated parking and cycle/refuse storage	Application Refused	27.11.2020
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