

**Planning and Rights of Way Panel 11th April 2023**  
**Planning Application Report of the Head of Transport and Planning**

<b>Application address:</b> 22 Grosvenor Road, Southampton			
<b>Proposed development:</b> Roof alterations including hip to gable, front and rear dormer windows and installation of first floor window in side elevation (resubmission of 22/01557/FUL).			
<b>Application number:</b>	23/00101/FUL	<b>Application type:</b>	FUL
<b>Case officer:</b>	Tom Barnett	<b>Public speaking time:</b>	5 minutes
<b>Last date for determination:</b>	03.04.2023	<b>Ward:</b>	Portswood
<b>Reason for Panel Referral:</b>	Request by Ward Member/ Five or more letters of objection have been received	<b>Ward Councillors:</b>	Cllr Lisa Mitchell Cllr Gordon Cooper Cllr John Savage
<b>Referred to Panel by:</b>	Cllr Gordon Cooper	<b>Reason:</b>	For the reasons outlined in the objection letters
<b>Applicant:</b> Mr Steve Mcinelly		<b>Agent:</b> Graham Barker Design	

<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).

<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 consists of a two-storey semi-detached dwelling, which is located within a suburban area part of the city. The dwelling is characterised by similar two-storey semi-detached and detached properties which are all slightly set back from Grosvenor Road.
- 1.2 The application property shares boundaries with multiple neighbouring properties. This includes immediate neighbouring dwellings 20 Grosvenor Road on the northern boundary, 24 Grosvenor Road on the southern boundary, properties on the eastern boundary situated at Arnold Road and properties located at Grosvenor Gardens.

## **2. Proposal**

- 2.1 Planning permission is sought for roof alterations, which include a hip to gable roof enlargement, front and rear dormer windows, and the installation of a first-floor window in the side elevation. With the proposal being a resubmission of 22/01557/FUL proposal which was withdrawn.
- 2.2 The approximate dimensions of the total volume of the roof works, including the hip to gable enlargement and the roof dormers, would be 37.1 cubic metres. The existing roof space already has already been converted into a bedroom and the proposals would allow for the creation of a second bedroom in the roof space with one shower/toilet also being added. The additional first-floor window would serve a bedroom in the southern side elevation.

## **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 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.
- 4.2 The site has relevant history from older proposals that impact future applications in relation to conditions that have been added. The permission

18/00994/FUL for the conversion of the existing Medical Centre (D1 use) building into a 4 bedroom house, condition 8 implemented a permitted Development Restriction (Performance Condition). This condition stated

*“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 building or structures within Schedule 2, Part 1, Classes as listed below shall be erected or carried out to any dwelling house hereby permitted without the prior written consent of the Local Planning Authority:*

*Class A (enlargement of a dwelling house), including a garage or extensions, Class B (roof alteration), Class C (other alteration to the roof), Class E (curtilage structures), including a garage, shed, greenhouse, etc., Class F (hard surface area)”*

*Note:*

*The existence of a restrictive condition such as this (and the one at paragraph 4.3 below) prevents works that would otherwise be ‘permitted development’. It does not mean that the owner cannot submit an application seeking express permission.*

- 4.3 The permission 20/00301/FUL for a single storey rear extension replacing existing conservatory had a relevant condition placed on the proposal condition 3 which states: *“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 in the south elevation of development hereby permitted without the prior written consent of the Local Planning Authority.”*

## **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 **8 representations**; including 6 letters of objection from residents, 1 further objection from a resident’s association and 1 Panel referral from a ward councillor have been received. The following is a summary of the points raised:

- 5.2 The following is a summary of the **OBJECTIONS** raised by neighbours:

- 5.3 **The proposal would impact on parking and noise.**

### **Response**

The property does not have a direct impact on parking with the dwelling already having sufficient parking spaces within the front driveway.

- 5.4 **Proposal will impact neighbouring privacy and overlooking and**

**character of the street.**

**Response**

Section 6 of the report will assess the impact the proposal will have on the character and appearance of the area as well as the amenity impact.

**5.5 The proposal would be an overdevelopment in terms of the scale of the proposal, set up for the potential to be an House in Multiple Occupation.**

**Response**

The property cannot be lawfully converted into a HMO without a separate planning application at which point the Council would assess this change of use against its development plan.

**5.9 Consultation Response**

5.9.1

<b>Consultee</b>	<b>Comments</b>
Cllr Cooper  Inc. Panel referral	<i>"I write to request that Planning Application 23/00101/FUL (22 Grosvenor Rd. Portswood) is brought before the Planning Panel for discussion. Today is the last day for comments.  Primarily I'm concerned about the blight caused by over-development of individual properties in the area either for HMO or Airbnb use. This is already a 4/5 bedroom property and making it larger will most likely have an impact on things such as vehicle use in the road. It's also arguable that the proposed roof extension would not be in keeping with the aesthetics of the road. As we're trying to exercise further control in this locality, it's important to give these matters due public consideration."</i>

5.9.2

Highfields residents' association	The plans are poor, and the new window would be overlooking. There are not similar examples in the area and the dwelling has already been extended. Despite not being in a conservation area we ask that the Historic Environment Officer comments on the proposal. The proposal is an overdevelopment and would cause amenity harm and fear that the property is already listed on air bnb that it may not need permission to alter this to an HMO. Finally, there is no ground floor plan which would be required to access the proposal fully.
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## **6.0 Planning Consideration Key Issues**

- 6.1 The key issues for consideration in the determination of this planning application are:
- Residential amenity; and,
  - Design and effect on character; and,
  - Parking

## **6.2 Residential amenity**

- 6.2.1 The application site is bordered by two immediate neighbours 20 Grosvenor Road on the northern boundary, 24 Grosvenor Road on the southern boundary as well as other properties on Arnold Road and Grosvenor Gardens. The first-floor side window, which would be adjacent to 24 Grosvenor Road, would have the potential to cause a negative privacy impact upon this neighbouring dwelling. However, given it will be obscure glazed (which will part of the planning condition attached to this proposal), the first-floor side window would not cause any amenity harm. This room is also served by existing windows that look out towards the rear garden.
- 6.2.2 Concerns relating to loss of privacy from overlooking have been raised by third parties in relation to the new dormer windows. The Council's Residential Design Guide states at paragraph 2.2.4 minimum back-to-back distance standards between windows should apply. Between 2/3 storey housing and other 3 storey housing the distance should be 28 metres. The closest property situated at Grosvenor Gardens, from the rear point of the property of focus and the rear point of 10 Grosvenor Gardens would be 28 metres (from when taking a diagonal line). Therefore the proposals would meet this standard and would not result in significant overlooking or loss of privacy or amenity to neighbouring properties. The nearest other properties are those along Arnold Road whose rear elevations are located approximately 75 metres when measuring the rear wall of the property of focus and the rear wall of 45 Arnold Road. The front dormer would look out on the street and, therefore, the views from this window would be no more harmful than first floor windows looking out on to the public street.
- 6.2.3 Concerns have been raised that the property will be converted in to a HMO. The application submitted is 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 lawfully change use from a C3 dwelling to a C4 HMO. Any change of use to an HMO would require planning permission as the Council has an extant Article 4 Direction removing this change. An informative has been added to explain this to the applicant.
- 6.2.4 It is not considered that that proposal would result in significant overbearing, overlooking or overshadowing impacts on the amenities of nearby occupiers, nor would it harm the amenity of the occupiers of the host dwelling. On this basis the proposal is considered acceptable when assessed against saved

Local Plan policy SDP1(i) and the relevant sections of the adopted Residential Design Guide SPD..

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

- 6.3.1 The property was converted into a residential dwelling under permission 18/00994/FUL. Condition 8 removed permitted development rights for the dwelling, including extensions and roof alterations. Ordinarily the proposed hip to gable enlargement and rear dormer proposed under this application would fall under permitted development as the roof volume would not exceed 50 cubic metres (37.1 cubic metres is proposed). The restrictions imposed under this condition have been highlighted in the objections with concerns that the proposal would not be in line with conditions. However the condition does not prevent future applications being submitted; moreover, they require the submission of a formal planning application to enable an assessment of the appropriateness of those additions against the Local Plan Policies. The front dormer window requires planning permission regardless of the condition
- 6.3.2 Saved policy CS13 of the Core Strategy states development should “respond positively and integrate with its local surroundings”, and saved Local Plan Review policy SDP7 prevents “development which would cause material harm to the character and/or appearance of an area”. With regard to the proposed roof alterations to create additional accommodation within the roof, the Residential Design Guide (2006) provides advice in paragraphs 2.5.2 to 2.5.4 on how alterations to a properties roof form should be undertaken. The guidance advises on the importance of maintaining the properties roof ridge in order to preserve the character of the area. Section 2.5.4 of our Residential Design Guide also states that dormer windows – “*should be in keeping with the house, the roof form and in particular with the style of the windows used on the lower floors to give a sense of balance and proportion. ‘Box’ like additions that fundamentally change the overall shape of the roof creating a negative visual impact will not be acceptable.*” The front and rear dormer are set above the eaves of the existing roof line and below the maximum roof height which ensure the proposal does not appear as a box like addition. Therefore the design of the dormers allow them to be ‘framed’ by the existing roof and to appear subservient. Furthermore there are other examples in the immediate area of front and rear dormers. Namely No. 10 Grosvenor Road to the north and No. 28 to the south. The proposed front and rear dormers would not represent an unsympathetic or incongruous addition to the street scene and are, therefore, considered to be acceptable additions in this instance.
- 6.3.3 With regards to the hip to gable enlargement, notwithstanding that the combined roof volume would be 37.1 cubic metres and would otherwise be permitted development, the proposals would not be out of keeping as there are other examples of gabled properties within the area, and the proposals would not be harmful to the character and appearance of the area.
- 6.3.4 The materials used would be appropriate and match the existing dwelling with slate on top of the roof works, tile hanging on the walls with white UPVC doors

and windows. On this basis, the proposals are considered to be acceptable and would comply with the requirements of the relevant Development Plan policies listed above, and guidance contained within Section 12 of the NPPF.

#### **6.4 Parking and access**

- 6.4.1 Objections have also been raised regarding additional parking needs given the increase in the extra bedroom to the existing residential property, and potential for further off-street parking increase. The proposal would be in line with our Parking SPD section 4.2.1 which highlights that a 4+ bedroom residential property requires a maximum of three spaces. The existing property can accommodate three parking spaces within the front driveway and, therefore, the proposals are acceptable in terms of parking provision. In addition, the surrounding roads are subject to parking restrictions (Resident Parking Zone 6 – Highfield), which itself would prevent convenient parking overspill.

#### **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 or detrimental character impact to the existing property or surrounding area to warrant a refusal of planning permission, whilst noting the objections.

#### **8. Conclusion**

- 8.1 It is recommended that planning permission should 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 **Tom Barnett** PROW Panel 11/04/23

#### **PLANNING CONDITIONS**

##### **Condition 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).

##### **Condition 2 - 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

**Condition 3 - Materials to match (Performance)**

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.

**Condition 4 - Obscure Glazing (Performance)**

All windows in the side elevation, located at first floor level and above 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.

*Note to applicant:*

*You are reminded that planning permission is required before the use of this property changes from a single dwelling house to any form of multiple occupation where 3 or more unrelated people reside.*



**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  
SDP7            Urban Design Context  
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)

**Relevant Planning History**

<b>Case Ref</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
1116/Z	ERECTION OF A GARAGE	Conditionally Approved	17.09.1957
901083/W	CHANGE OF USE FROM SINGLE DWELLING TO MEDICAL CENTRE SPECIALISING IN NATURAL THERAPY	Application Refused	10.10.1990
970961/W	ERECTION OF A RAMPED ACCESS AND CONVERSION OF GARAGE TO ACCOMMODATE TOILET FOR DISABLED AND WHEELCHAIR USERS	Application Refused	21.10.1997
971254/W	INSTALLATION OF A RAMPED ACCESS AND ERECTION OF A NEW EXTENSION AND CONSERVATORY TO ACCOMMODATE TOILET FOR DISABLED AND WHEELCHAIR USERS	Conditionally Approved	07.01.1998
980724/W	CONSTRUCTION OF A CONSERVATORY	Conditionally Approved	18.09.1998
17/00903/FUL	Change of use to children's nursery and natural therapy rooms (Class D1)	Application Refused	13.04.2018
18/00994/FUL	Conversion of existing Medical Centre (D1 use) building into a 4 bedroom house.	Conditionally Approved	20.08.2018
18/02150/DIS	Application for approval of details reserved by conditions 2 (Landscaping detailed plan), 3 (Refuse and recycling) and 4 (Cycle storage facilities) of planning permission 18/00994/FUL for a 4 bed house.		15.02.2019
20/00301/FUL	Single storey rear extension replacing existing conservatory.	Conditionally Approved	30.04.2020
22/01557/FUL	Roof alterations including hip to gable and front and rear dormer windows	Withdrawn	09.01.2023