

Planning and Rights of Way Panel 15th February 2022
Planning Application Report of the Head of Planning & Economic Development

Application address: 7 Leigh Road, Southampton			
Proposed development: Erection of a roof extension with dormer windows to front and side elevations and part demolition of front boundary wall to form vehicular access with dropped kerb			
Application number:	21/01352/FUL	Application type:	FUL
Case officer:	Mark Taylor	Public speaking time:	5 minutes
Last date for determination:	04.11.2021	Ward:	Portswood
Reason for Panel Referral:	Five or more letters of objection have been received	Ward Councillors:	Cllr J Savage Cllr G Cooper Cllr L Mitchell
Applicant: Mr and Mrs Tariq		Agent: CMCdesign	

Recommendation Summary	Conditionally approve
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Community Infrastructure Levy Liable	Not applicable
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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		

Recommendation in Full

Conditionally approve

1. The site and its context

- 1.1 The application site contains a detached, two storey dwelling house. The property is located in a residential area with predominantly detached dwelling houses, and a suburban character, and each property has an individual design and character.
- 1.2 The site is located with the Oakmount Triangle Conservation Area, which according to the Character Area Appraisal Management Plan (2008) is described as a quiet residential enclave which is characterised by wide roads and detached houses in large plots. The houses are identified as being variations of gables, high pitched roofs, verandahs and tall chimneystacks, finished in brick, with brick built boundary walls and the presence of mature trees. Leigh Road fits this distinctive character.

2. Proposal

- 2.1 The proposals would involve the creation of a roof extension with dormer windows to front, rear and side elevations and a rooflight, and part demolition of front boundary wall to form vehicular access with dropped kerb.
- 2.2 The dormer window to the front of the property would be sited between the two existing gabled additions and would have a mono pitched roof. The rear dormer would sit centrally on the rear roof slope and would also have a monopitched roof. A pitched roof dormer would also be added to the western (side) roof slope. These dormers would facilitate the creation of two additional bedrooms and a bathroom at second floor level. The dormers would have tiled hanging on their sides (to match the existing tile hanging on the bay windows) and a tiled roof, also to match the existing roof.
- 2.3 A 3.0m section of the front boundary wall towards the eastern end of the plot would also be removed to facilitate the creation of an on site parking space via a new dropped kerb. The applicant has confirmed in discussions with officers that the kerb would be Purbeck stone.
- 2.4 With the exception of the front dormer addition, the proposals would usually constitute works falling within 'permitted development.' However the area is covered by an Article 4 Direction which removes those permitted development rights.

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.

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, placing a press advertisement **08/10/2021** and erecting a site notice **01/10/2021**. At the time of writing the report **9 representations** have been received; including 7 letters of objection and 2 in support. The following is a summary of the points raised:

Objections

- 5.2
- The proposal for the front and side dormers is overdevelopment and add bulk and dominance to the road, which is out of keeping and not sympathetic to the conservation guidelines of the triangle.
 - The large dormer window at the rear of the property will directly overlook neighbouring properties at 17 and 15 Blenheim Avenue represent a significant invasion of our privacy.
 - The proposed extension would result in the loss of light and loss of privacy/overlooking in to neighbouring bedrooms.
 - The replacement of part of the front garden by hardstanding represent a "gradual erosion of the character and appearance of the property....such as changes to roofs, removal of garden walls..." which is contrary to the Oakmount Triangle Character Appraisal Management Plan.
 - There is a technical problem in achieving a drive way in that the camber is steep on that side of the road so it will be difficult to get the required gradient across the kerb.
 - Local instances of similar wall removal are cited in the application are not relevant and do not set a precedent.
 - There is/was no drainage plan. With recent heavy rains there has been flooding at the Portswood Waitrose Junction directly resulting from runoff coming from the Oakmount Triangle, Winn and Westwood Roads.

Officer Response

The relationship of the proposals to the street scene and compliance with the Character Area Appraisal Management Plan are considered in detail below. The appropriateness of the dropped kerb and driveway and surface run off will also be addressed in the assessment section also.

5.3 Support

- The proposed dormers are in keeping with other similar sized dormers along Leigh Road and Blenheim Avenue.
- Off road parking for charging of electric vehicles will soon be the norm. Therefore it makes sense to encourage such applications which are sympathetic to the need while enhancing conservation.
- This development is in keeping with many properties within the area and if anything there is consistency with drives and dormers of others. Rather than the suggested statements of walls being ever-present and rooflines being affected, when in fact most have already been subject to changes.

Officer Response

Comments of support are noted. Any relevant examples will be referred to below

Consultation Responses

5.4

Consultee	Comments
Oakmount Triangle RA	<p><u>Comments on Amended Plans</u></p> <p>We have noted the amendments which will now allow access for a single car only and so there will be minimal loss of wall. However we cannot see any large scale plan or dimensions to ensure that the area of the driveway itself is only for a single car. So for the sake of clarity, we would like to see conditions applied to ensure that the driveway itself is no wider than the 3m entrance.</p> <p>The Oakmount Triangle Character Appraisal and Management Plan specifically refers to front garden planting: "...mature trees and shrubs enhance the scene". In their heritage statement the applicant indeed refers to "verdant frontage to compliment the property and look to preserve and enhance the character of the Conservation Area." We would therefore request that a clear commitment to this should also be confirmed via conditions in regard to replanting or adding appropriate plants in line with "pleasant aspects of the conservation area that residents and visitors value."</p> <p>We note the commitment to the use of gravel as a driveway surface which we believe would have been used for these types of houses in the area which were originally built with driveways. We are also pleased to see the specification of natural stone for the new kerb.</p>

Regarding dormers, our position is the same as before and we would have no objections provided that conditions apply which ensure that appropriate timber frame windows with dimensions that match those original to the Oakmount Triangle are fitted. This should apply to frames, casements, mullions, transoms, mouldings, sills etc.

Comments on Original Plans

The OTRA committee has considered this application carefully in the light of the Oakmount Triangle Character Appraisal and Management Plan (C.A.M.P.). This document was published in 2008 by SCC and is in place to protect the special character of the Oakmount Triangle Conservation Area.

It specifically mentions the value of the original early twentieth century decorative front garden walls with distinctive recessed panels, and also the green streetscene created by mature front garden planting. Both of these features contribute to the particular pleasant aspect of the Oakmount Triangle, enjoyed by residents and visitors.

We object to the application's requirement for the demolition of such a significant part of this wall (5.5 metres) all the way from the boundary to the central pedestrian access in order to provide hard standing which replaces almost half of a mature garden. Along with the removal of the central pedestrian gate, this creates a gap well in excess of 6 metres.

There are no precedents for the demolition of such a significant length of front wall to create a hardstanding bay since the conservation area was created. Furthermore the plans do not show the specifics of the proposed hard standing dimensions.

We would also like to point out that the dropped kerb would be replacing the existing original kerb, and should therefore have been proposed specifically using heritage materials (purbeck stone). Modern concrete kerbs mixed in the original stone are highly detrimental to the streetscene.

Loft Extension and Dormers Windows:

OTRA takes a neutral position on this having no objection to the dormer windows as they appear to be designed to

	<p>comply with the street character. However we note that although the application mentions materials to match existing, it is lacking in specifics. We would like to see conditions apply which ensure that appropriate timber frame windows with dimensions that match those original to the Oakmount Triangle are fitted. This should apply to frames, casements, mullions, mouldings, sills etc.</p> <p>Submitted on behalf of the Oakmount Triangle Residents' Association</p>
Highfield RA	<p>Highfield Residents Association objects to this application on the basis that the proposal constitutes a form of overdevelopment - by effectively creating a third storey to the building, demolishing a large part of the front wall, and creating off-road parking spaces for at least two cars - which is contrary to the interests of the area as a whole (Highfield and Portswood) as well as to the Council's Management Plan for the Oakmount Triangle Conservation Area. In this regard, it should be noted that we believe this to be the most extensive set of changes to any existing property since the Conservation Area was first designated.</p> <p>The Association has long been concerned about the way in which the appearance and character of many of the streets in our area have been changed and often completely undermined by incremental alterations to individual houses, front (and sometimes back) gardens, and pavements. Nearby, extensive examples include Gordon Avenue, Alma Road and Livingstone Road. Loft expansions with additional large dormer windows creating probable overlooking, the removal of all or part of long-standing front walls, the dropping of kerbs, and the installation of parking on hard standing in place of green space are key negative features of such developments. All these changes cause significant damage without any compensating public benefits.</p> <p>In the present case, the proposal for two new dormers to expand the top floor is particularly problematic. The addition of front and side dormers would look overbearing from the street. Moreover, green front gardens and front garden walls constitute a very distinctive feature of the Triangle, the value and attractiveness of which is emphasised in the Management Plan. Indeed, the Plan states on page 5 that, 'Elements which detract from the special character of the area include the loss of the original front-boundary walls and gardens to provide off-street parking.'</p>

On Page 5 of the Application Form (without personal data) the question at Section 9 Trees and Hedges, asks, 'Will any trees or hedges need to be removed or pruned in order to carry out your proposal?'. The applicant has selected No. In fact, behind the heritage front wall (see photographs), there is a very mature garden strip including shrubs, bushes and an ash tree. By comparing the drawings submitted, showing the front wall part-removal with photographs taken on site, a false statement has been declared that no vegetation will be affected.

The drawing EXISTING_AND_PROPOSED_BOUNDARY_WALL-1576235.pdf shows that the ash tree will be retained but that all the mature shrubs will have to be removed when the wall is demolished. It is not clear in the proposals if the whole wall is to be removed and replaced with a new one or if the part-existing wall will be preserved and retained. Additionally, the removal of this ground vegetation and its replacement with hard standing will be environmentally damaging.

Recently, the crucial importance of retaining front garden walls in a Conservation Area in their existing form and scale as heritage assets affording views to planting in the garden beyond was re-emphasised by the Planning Inspector's judgement in the 12 Russell Place Highfield Appeal (APP/D1780/C/21/3276078). The Inspector especially commented on the value of the mature plants, shrubs and bushes behind the wall (as in this case) for which any proposed replanting would have been no compensation. It is strongly arguable that the proposal here is not only detrimental to the Conservation Area but constitutes material harm.

In much of the City such changes are the unwelcome consequence of the exercise of Permitted Development Rights that the Council as planning authority is usually powerless to prevent. But in the Oakmount Triangle the Council has the ability to prevent such expansion if it judges that the potential harm caused outweighs any public benefit. HRA trusts that in the interests of Highfield and Portswood, as well as the immediate area and the relevance and standing of Conservation Management Plans, the Council - either officers under Delegated Powers or the Planning Panel - will take this opportunity to resist them.

Finally, the application throws up once again the need to review the Management Plan to ensure that it takes account of current circumstances.

<p>North So'ton Community Forum</p>	<p>The Community Forum has long been concerned with the increasing erosion within the Highfield area of the supposed protection afforded by Conservation Area status and it is on this basis we must object to these proposals...</p> <p>We believe the application contravenes the Conservation Area designation of the Oakmount Triangle area on the following grounds...</p> <ul style="list-style-type: none"> • The proposal constitutes a form of overdevelopment, by seeking to create a third storey this is contrary to the Conservation Area Management Plan which states at page 5 that Elements which detract from the special character of the area include the loss of the original front-boundary walls and gardens to provide off-street parking. • Loft expansions with additional large dormer windows would not only create overlooking but are also unsightly and would have an adverse effect on the character and amenity of the area. • The removal of all or part of longstanding front walls, the dropping of kerbs, and the installation of parking on hard standing in place of green space are all detrimental to the CA and would constitute a material harm perhaps most importantly are the principles and conditions of Conservation Area status and we urge the Council to prevent any further undermining of this one by upholding its core principle of protecting the area's heritage. <p>We ask that this application be refused under Delegated Powers, failing which it be brought to Panel for determination.</p>
<p>City of Southampton Society</p>	<p>We support the proposal for a smaller break in the front wall to allow access to hard standing for one car. This is only one of three properties in the road that does not have a driveway or garage. Admittedly there is a side road with 26 garages/sheds but these are rather over-run and possibly not suitable (large enough) for use a garage.</p> <p>We do however object to the installation of the front and side facing dormers. This property is already one of the largest in Leigh Road and dominates that end of the street. The addition of side and front facing dormers will add to its bulk and dominance. In view of the external condition of the existing building any dormers constructed of new material would 'stick out like a sore thumb'. The</p>

	<p>overall impression would not be in keeping with the ethos of the Conservation Area</p> <p>Admittedly there is a similar property at 11 Leigh Road which has a front facing dormer but the fabric matches the existing roof and walls so it is less conspicuous. Also the building is at a lower level and uses white render making it less dominant.</p> <p>We also object to the rear facing dormer and although it cannot be seen from the front of the building it overlooks the gardens in Blenheim Avenue.</p> <p>The existing building currently comprises a Kitchen, Dining Room and three communal rooms on the ground floor with five bedrooms on the first floor. The request is to add two further bedrooms and a bathroom to the attic space. Confirmation is required that this is not to be used as an HMO.</p> <p>In conclusion, we support the break in the front wall to allow access onto the site for one vehicle but we object to the installation of the three roof dormer windows.</p>
<p>Historic Environment Officer</p>	<p>No objection</p> <p>Dormers are a common roofscape element in this conservation area and provided that the new elements would match the existing unit in terms of style, materials, and finishes, these features would not appear incongruous or detrimental to the host building or the wider character or appearance of the area - subject to addressing any neighbouring amenity concerns.</p> <p>In general, removing front boundary walls to provide vehicular parking is contrary to advice within the Conservation Area Appraisal & Management Plan where it states that small gardens across the width of the properties and fronted with low red-brown brick walls are fundamental elements in the character of the area. It also goes on to state that replacing front gardens with soft landscaping by hardstanding for motor vehicles will also be resisted. Notwithstanding this, each case needs to be assessed on its own merit, and since the adoption of the current Appraisal, green initiatives, such as the need to switch to electric vehicles to reduce emissions, is a government aspiration.</p> <p>Leigh Road is made up of houses of a mixture of styles, a large proportion of which have driveways and parking</p>

bays set aside front gardens and front boundary walls all along the street frontages. Whilst some of these are much later insertions, on the whole, the open and semi-verdant character of this particular street remains relatively intact, even with these insertions in place. Therefore, although it is acknowledged that the proposals would remove a section of the front boundary wall, the revisions have reduced the number of parking bays to 1x unit and have re-positioned the parking apron to the eastern side of the plot where on the removal of the secondary gate, only a small section of the existing brick boundary wall would be lost to provide the required 2.1m egress. In doing so, the loss of historic fabric would be kept to a minimum and the majority of the front boundary wall would remain along its length and it would continue to be the dominant boundary feature for over two thirds of the plot frontage. Likewise, the centrally positioned pedestrian gate would be unaffected and the existing active frontage arrangement would be retained. A section of the front garden would also be given over to gravel to facilitate the new parking apron near the new charging facility to avoid cables passing over the pavement. However, this element would be tucked away adjacent to the neighbouring property boundary reducing its visual impact, whereas the remainder of the garden and tree would be retained. Furthermore, the above works would all be completely reversible.

On this basis, although it is acknowledged that the new access arrangement would have some impact on this part of the streetscene, provided that the edge of the boundary wall created by the breach would be made good, and provided that traditional kerb stones would be employed, on balance, the level of intervention would be considered low and would not be considered wholly out of keeping with the character of this particular street.

Consequently, the proposals would be considered to have a neutral impact on the surroundings of the host building and the corresponding streetscene and would not lead to an adverse level of harm to the character or appearance of this part of the conservation area to sustain a refusal of the scheme from a conservation perspective on this occasion.

That said, these proposals have been assessed on their own merit in regard to the existing characteristics found in this particular street and shall not set an unwanted precedent for similar changes to take place in other parts of the conservation area without an appropriate

	<p>assessment to ensure that the aspirations of the conservation area as a whole are sustained.</p> <p>Suggested condition/s:</p> <ol style="list-style-type: none"> 1. <i>The dormers hereby approved shall employ materials, traditional workmanship, and detailing to match the existing building in all respects unless otherwise agreed in writing by the Local Planning Authority.</i> 2. <i>The rooflight/s hereby approved shall be conservation units set flush with the corresponding roofing plane unless otherwise agreed in writing by the Local Planning Authority.</i> 3. <i>All works of repair to the surrounding fabric and surfaces of the front boundary wall affected by the works hereby approved shall employ materials, traditional workmanship, and detailing to match the existing in all respects unless otherwise agreed in writing by the Local Planning Authority.</i>
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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:

- The principle of development;
- Design and impact on the character and appearance of the Conservation Area;
- Residential amenity;
- Other Matters

6.2 Principle of Development

6.2.1 The proposals relate to extensions and alterations to an existing residential property. The principle of extending a dwelling is acceptable, however the property lies within the Oakmount Triangle Conservation Area, which is sensitive in terms of its historic character and formation. The area is covered by a Management Plan, and also an Article 4 Direction, which removes permitted development rights. This includes extensions, alterations, replacement windows and doors, roof coverings, porches, sheds, hardsurfacing, removing walls, fences and erection gates, and external painting. The application proposals include roof additions and alterations to the front boundary, therefore planning permission is required for these works.

6.2.2 The statutory tests for the proposal, as set out in section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, are: whether the proposal

would '*preserve or enhance*' the character or appearance of the Conservation Area. The NPPF requires the proposal to be assessed in terms of the impact on the significance of the building having regard to:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality and;
- The desirability of new development making a positive contribution to local character and distinctiveness.

In accordance with paragraph 189 of the NPPF, an assessment of the significance of the building within the Conservation Area is set out in the submitted Heritage Statement and the Council's Conservation Area Appraisal. Policies HE1 of the Local Plan and CS14 of the Core Strategy also requires new development to preserve or enhance the character and appearance of the conservation area, having regard to the Character Appraisal. In support of the Development Plan policies and also a material consideration is the Oakmount Triangle Character Appraisal and Management Plan (CAMP) (2008), which defines the special character of the triangle and provides design guidance for new development. The key considerations for this application are the design and impact on the character and appearance of the Conservation Area and impact on residential amenity.

6.3 Design & impact on the character and appearance of the Conservation Area

6.3.1 The CAMP states that individual houses are separated by gaps, large and small which allow glimpses of back gardens and help to provide a distinctive 'texture' to the townscape. New development and re-development should also be in keeping with the scale, size and building line of existing houses. The CAMP highlights that the most significant threat to Conservation Areas is the gradual / cumulative erosion of character and appearance, caused by the alterations to windows, changes to roofs, removal of garden walls and loss of architectural features. In addition the CAMP provides specific resistance to removing front boundary walls.

6.3.2 The proposed additions to the roof include a front, rear and side dormer in order to facilitate a loft conversion. The changes would be visible within the street scene and visually increase the scale of the property to a three storey dwelling. Notwithstanding that there are other examples of dormer window additions in the street scene (including No. 11 – reference 10/01151/FUL), the dormers themselves are considered to be proportionate and appropriate additions to the existing property and would be in keeping with its size, scale and architectural features.

6.3.3 The Council's Residential Design Guide provides specific design guidance on dormer windows at paragraph 2.5.4, which states:

'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. Dormer windows should be kept below the ridge and away from the verges and eaves line of the roof....The addition of dormers should not dominate visually the existing roof. As such, 'box' like additions that fundamentally change the overall shape of the roof creating a negative visual impact will not be acceptable.'

In this instance the proposed front, side and rear dormer windows would sit centrally on their roofslope. They are positioned lower than the main ridge and proportionately evenly well away from the eaves and verges. This allows the existing roof to 'frame' the dormers within the roofslope and enables them to integrate sympathetically and proportionately with the existing property.

6.3.4 Furthermore, the materials for the dormers would match the existing tile hanging and roof material used on the existing property. The applicant has also confirmed that the windows would be 'white hand painted windows with joinery details including window transom and mullions and mouldings to match the existing as closely as possible with any timber being naturally sourced. The velux would be of 'conservation' style.' This confirmation satisfies the requirements of the Historic Environment Officer and the CAMP for windows to be timber framed and match the existing property. On this basis the dormer additions and rooflights are considered to be acceptable additions to the building and would not detract from the character and appearance of the street scene and its contributions towards this part of the Conservation Area. The Council's Historic Environment Officer also considers that these features would not appear incongruous or detrimental to the host building or the wider character or appearance of the area.

- 6.3.5 The proposals also include the removal of section of the front boundary wall to facilitate the creation of an off road parking space. The CAMP highlights that one of the elements that detracts from the special character of the area is the loss of original boundary walls and gardens to provide off-street parking. The CAMP identifies that *'small gardens across the width of the properties and fronted with low red-brown brick walls are fundamental elements in the character of the area'* and *'demolition of will be resisted unless walls are rebuilt in appropriate materials and traditional design.'* It also states *'the replacement of front gardens with soft landscaping for motor vehicles will be resisted.'*

Whilst there is a general resistance to the loss of front boundary walls in the Conservation Area, each application must be considered on its own merits. In this instance, the front boundary wall for No.7 is already punctured by two pedestrian gates which lead to concrete footpaths within the front garden—one centrally and the other in the eastern section of the wall which are 1.0m wide. The proposals would widen the existing eastern access by an additional 2.0m to provide a 3.0m wide vehicular access. The resulting driveway would be finished with gravel material and the applicant has agreed to use Purbeck stone for the kerb stones in order to match existing kerbs. An electric vehicle charging point would also be provided.

- 6.3.6 The Historic Environment Officer notes that Leigh Road is made up of houses of a mixture of styles, a large proportion of which have driveways and parking bays set aside front gardens and front boundary walls all along the street frontages, which still maintain open and semi-verdant character of the street. The plans have been amended during the course of application to only provide one parking space and the consolidation of the access point to the eastern end in the location of the existing pedestrian gate, would involve the minimal loss of historic fabric with the majority of the front boundary wall remaining on the plot frontage. Subject to a condition ensuring all works of repair to the surrounding fabric and surfaces of the front boundary wall employing materials, traditional workmanship, and detailing to match the existing, the Historic Environment Officer raises no objection to the proposals. The views of the Historic Environment Officer are agreed, in particular as the proposed access reuses an existing opening and would use sympathetic materials to contain the visual impact of the driveway. The applicant has also confirmed that the existing vegetation and trees within the front garden would not be affected by the proposals and additional landscaping will be provided. Details of this new landscaping will be secured through a condition.

- 6.3.7 In conclusion, the proposed dormer window additions and front boundary changes are therefore considered to be appropriate and sympathetic additions to the property and its contribution to the character and appearance of the Conservation Area. Subject to compliance with conditions, the proposals would comply with the requirements of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies HE1 of the Local Plan and CS14 of the Core Strategy and the requirements of the Oakmount Triangle Conservation Area Management Plan (2008).

6.4 Residential amenity

- 6.4.1 Concerns have been raised by third parties that the proposed dormer windows to the front, side and rear result in overlooking and loss of privacy to neighbouring properties. The front dormer would look out onto Leigh Road which is already surveyed by first floor windows and pedestrians and traffic. It is not considered that this dormer window would result in any greater levels of overlooking and loss of privacy than existing.
- 6.4.2 It is noted that the property does not currently contain any fenestration or opening on the south west (side) elevation. It is proposed to insert a side dormer window serving a bedroom into this elevation. Whilst it is not proposed for this dormer to be obscure glazed, it would look out onto the plain roof slope of the neighbouring property No.5 and would not provide any direct overlooking onto the neighbouring property. Furthermore, given the close proximity of the neighbouring properties and the siting of the dormer centrally on the side roof slope, the angle of this window would not allow direct views towards the private rear amenity space of the neighbouring property. On this basis the proposed side dormer would not result in any significant loss of privacy, overshadowing or overlooking to neighbouring properties.
- 6.4.3 The proposed dormer window on the rear elevation would serve a bedroom, which faces towards the rear gardens of Blenheim Avenue. Concerns have been raised that the higher position of the window would result in direct overlooking to the neighbouring gardens. The rear dormer would be located at second floor level effectively resulting in a three storey dwelling. Paragraph 2.2.2 of the Residential Design Guide states:

'To prevent over-development, loss of privacy and dominance over neighbouring houses and to secure a reasonable standard of amenity and outlook for all, it is important to leave an appropriate gap or space between neighbouring buildings and extensions...Spaces between buildings should ensure a reasonable outlook for occupants of lounges, dining rooms, kitchens and bedrooms.'

It goes on to state that *'where habitable rooms face one another...minimum back-to-back distance standards between windows apply.'* In this instance, the minimum back to back distance between a three storey and two storey dwelling should be 28m. The gap between the rear dormer and the rear elevation of the nearest property to the rear (17 Blenheim Avenue) is 32m, which complies with the minimum back to back distances to avoid significant overlooking and loss of privacy impacts. With regards to the impact of the rear dormer on immediate neighbours either side of the property, it is not considered that this window would give rise to any greater level of overlooking than the existing upper floor windows on the rear elevation. It is notable that the existing fenestration includes a bay window on the rear elevation. On this basis the proposed rear dormer would not result in any adverse impacts on neighbour amenity in terms of overlooking and loss of privacy.

6.4.4 The proposed rooflight on the north east roofslope will serve a bathroom and can therefore be expected to be obscure glazed to protect the privacy of the occupants. Furthermore the proposed plans indicate that the lower opening of this rooflight would be located in excess of 2m above the floor level serving that property which would prevent direct overlooking across the neighbouring property. The use of obscure glazing would be secured through a condition.

6.4.5 On the above basis, the proposed dormer windows and rooflights are considered to be appropriately sited to avoid adverse impacts on neighbour amenity to prevent overlooking and loss of privacy to neighbouring properties.

6.5 Other Matters

6.5.1 *Number of bedrooms and HMO use*

Concern has been raised by third parties that the proposals create a 7 bedroom property and therefore controls are needed to prevent it becoming a house of multiple occupation (HMO). Whilst the loft conversion does create 7 bedrooms, this does not result in the creation of a HMO. The existing property is not a HMO and separate planning permission will be required to change of the use of the property in to HMO. Therefore no additional planning conditions are necessary.

6.5.2 *Parking highways and transport*

Concerns have been raised that the gradient of the driveway access is too steep and surface water drainage proposals have not been provided. The gradient of the access drive should be 1:6 in order to comply with Building Regulation requirements and in any case is not a planning matter in this instance. With regards to surface water drainage, it is proposed use to a gravel surface for the driveway, which is a permeable material and an improvement on the existing concrete footpath. Details of the hardstanding material will be secured within the landscaping condition.

7. Summary

7.1 The proposed alterations to the property and front boundary, are considered to be appropriate and proportionate additions to the existing property and its contribution towards the special character and interest of this part of the Oakmount Triangle Conservation Area. The proposals are sympathetic in design and would not give rise to any material harm to the natural light or outlook currently enjoyed by the occupants of the neighbouring dwellings. Furthermore, whilst the partial demolition of the existing front boundary wall by an addition 2.0m to create a vehicular access is discouraged by the CAMP, the impact on the street scene would be contained and would not be significantly harmful to the character and appearance of the street scene. On this basis the proposals are considered acceptable and the application is recommended for approval.

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 **Rob Sims** PROW Panel 15/02/2022

PLANNING CONDITIONS

1. Timing of planning permission

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. 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.

3. Materials as specified (Performance Condition)

The materials and finishes to be used for the windows in the construction of the extension hereby permitted shall be as specified and detailed in the application form and design and access statement, unless otherwise agreed by the Local Planning Authority.

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. Boundary wall repair

All works of repair to the surrounding fabric and surfaces of the front boundary wall affected by the works hereby approved shall employ materials, traditional workmanship, and detailing to match the existing in all respects. The wall shall be made good prior to the first use of the parking to which it relates.

Reason: In the interests of securing high visual quality and satisfactory visual relationship of the new development to the existing.

5. Landscaping

The development hereby permitted shall not be first brought into use until a scheme detailing hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include plans showing the proposed finished levels or contours; details of porous hard surfacing materials; and

a planting plan and schedule of plants noting species, plant sizes and proposed numbers/densities and a programme for the provision of the hard and soft landscaping. Thereafter the scheme shall be carried out in accordance with the approved details and once provided, the works shall be retained for the lifetime of the development.

Reason: To 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.

6. 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.

7. Obscure Glazing (Performance)

The approved rooflight in the north east roofslope 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 window shall be thereafter retained in this manner.

Reason: To protect the amenity and privacy of the adjoining property.

Application 21/01352/FUL
POLICY CONTEXT

APPENDIX 1

Core Strategy - (as amended 2015)

CS13 Fundamentals of Design
CS14 Historic Environment

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

SDP1 Quality of Development
SDP7 Urban Design Context
SDP9 Scale, Massing & Appearance
HE1 New Development in Conservation Areas
HE2 Demolition in Conservation Areas

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)
Parking Standards SPD (September 2011)
Oakmount Triangle Conservation Area Appraisal Management Plan (2008)

Other Relevant Guidance

The National Planning Policy Framework (2021)

Section 72 of the Planning (Listed Building and Conservation Area) Act 1990