

Appeal Decision

Site visit made on 22 February 2017

by JP Sargent BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 03 March 2017

Appeal Ref: APP/D1780/D/16/3158442
5 Portswood Avenue, Southampton SO17 2HE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Mohammed against the decision of Southampton City Council.
 - The application Ref 16/00762/FUL, dated 5 May 2016, was refused by notice dated 10 August 2016.
 - The development proposed is the construction of a part single storey/part 2 storey rear extension together with dormer windows on the front elevation.
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Decision

1. The appeal is dismissed.

Procedural matters

2. Clarifying an inconsistency in the submitted plans, the Appellant has confirmed that the proposed rear wing is to have a gable rather than a hip, and I have assessed the scheme accordingly.

Main Issues

3. The main issues in this case are the effect of the development on the character and appearance of the area and its impact on the living conditions of adjacent residents and future occupiers.

Reasons

Character and appearance

4. This appeal concerns a house in a row of semi-detached properties that line the north side of Portswood Avenue and appear to have been built to a common design. Looking from the road they are of a similar scale and materials, and have 2-storey gabled bays. As a result, despite various minor alterations over time, they nonetheless give the streetscape a strong unity and rhythm.
 5. It is now proposed to alter the dwelling's frontage by changing the main hipped roof of the house to a gable, removing the gable over the front bay, and installing 2 new dormer windows on the roof slope.
 6. The hipped roof has already been changed to a gable at 2 Portswood Avenue. However, given the slight curve of the road this is only particularly noticeable when directly in front of that property, and the front bay with its gable above remains the dominant aspect of the built form. Therefore I consider these works at No 2 have not had an unacceptable effect on the street scene. I am also aware the Appellant has said the roof form could be changed to a gable as 'permitted development' in any event, and so will occur even if this appeal is dismissed.
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Taking these factors together I raise no objections to the change of the hipped roof to a gable.

7. However, the loss of the gable over the bay and the erection of the 2 dormer windows would be an appreciable departure from the rhythm and unity that is now apparent in the street scene. This would be further emphasised by the bulk of the dormer windows resulting from their width and gabled form, and also by their poor alignment with the windows below. Therefore these works would appear incongruous and discordant in the context of Portswood Avenue and would detract unacceptably from the locality.
8. In coming to this view I have noted the dormer window at No 2 and the side roof works at 3 Portswood Avenue. However, in both cases the dominant gable over the 2-storey bay remains (even though at No 3 it seems to have been rebuilt on the other side of the frontage). Moreover, neither is as apparent as the works before me, as the dormer window at No 2 is higher on the roof and partly concealed by the gable over the bay, while the works at No 3 are on the side roofslope. Therefore those works do not show that what is before me is acceptable and they are not key features of the street or change its dominant characteristics.
9. A large extension is also proposed at the rear. Having viewed the impact of similar extensions at No 2 and No 3 and mindful of the relatively narrow gap between the appeal property and 4 Portswood Avenue, I consider this addition would not be prominent from the front and so would not detract unacceptably from the streetscape. It would be visible when at the rear of the properties on the road and from the houses and buildings behind, but the rhythm and pattern at the back of the Portswood Avenue dwellings is not as strong as at the front. Therefore in relation to their effect on character and appearance, the rear works and the amount of development would do not be unduly harmful.
10. Accordingly I conclude the proposal would detract unacceptably from the character and appearance of the area, in conflict with Policies SDP7(iii) & (iv) and SDP9(i) & (iv) of the *City of Southampton Local Plan Review* (the Local Plan), and Policy CS13(1) & (11) of the Council's *Core Strategy Development Plan Document*, which among other things, seek to ensure development respects the character and appearance of its context.

Living conditions

11. The *National Planning Policy Framework* (the Framework) identifies the need to seek a good standard of amenity for all existing residents and future occupiers as a core planning principle.

The effect on neighbours

12. The proposed single storey element at the rear would run for some 5m along the boundary with the adjoining 6 Portswood Avenue. Although part of this would be against a conservatory at that neighbouring property the majority of the extension would project beyond. Given the garden's limited depth I consider the works would enclose that area and also the rear conservatory to an unacceptable degree, and so erode the living conditions those residents currently and reasonably enjoy.
13. Moreover, when in the garden of No 6 there would be an appreciable awareness of the proposed first floor and roof level extension, because although it is to be on the other side of the rear elevation it would still not be far from the boundary. Noting its scale and its height, this element would further contribute to the sense of enclosure experienced in the garden of the adjoining property.

14. On the opposite side of the appeal site is No 4, the rear garden of which is already affected by an extension at No 3 that is comparable to what is before me. I consider that introducing this sizeable gabled wing at first floor and roof level would further enclose the rear garden of this neighbouring property thereby harming the living conditions the residents there enjoy.
15. I accept though that the scheme would not cause an undue loss of privacy, sunlight or daylight at either No 4 or No 6, or lead to harm because of noise.

Living conditions of future occupants

16. The proposal would result in No 5 having an 18sqm back garden with a depth of 2.8m. To my mind this falls well below the area of outdoor amenity space that is reasonable and appropriate for a house and so would result in poor living conditions for its occupiers. The Appellant has said such a provision would be sufficient to meet the needs of his household. However, I am aware that the works are likely to remain long after the Appellant and his family have ceased to live there, and so I see no reason why a reduction in the quality of the housing stock should be accepted because his requirements are below what can be fairly considered as reasonable.
17. While I noted that No 3 had a similar sized garden, I am unaware of the background to that case, and as it was granted some 20 years ago it cannot be assumed such a level of provision would now be taken as satisfactory.
18. There was further concern about the poor outlook from the bedroom and study windows in the side elevation and the reliance for their outlook on No 4. However the bedroom window is there already, albeit serving the kitchen, while the study would be a very small room. Therefore the harm to the living conditions from this arrangement would not be unacceptable.

Conclusions on this issue

19. Accordingly I conclude the development would unreasonably harm the living conditions of neighbouring residents and also the future occupiers of the appeal property, in conflict with Policies SDP1(i) and SDP9(v) in the Local Plan and Policy CS13(7) in the Core Strategy, which among other things seek to safeguard amenity, and would also be contrary to the Framework.

Other matters

20. The proposal is not to change the use of the building and so I have assessed the appeal on the basis that it will remain a dwelling. Given this, and mindful of its proximity to a shopping centre and public transport links, I consider the development would not adversely affect parking provision or highway safety.

Conclusions

Accordingly, for the reasons stated the appeal should be dismissed.

J P Sargent

INSPECTOR