The Planning Inspectorate

Appeal Decision

Site visit made on 20 June 2017

by J Ayres BA Hons, Solicitor

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

Decision date: 5th July 2017

Appeal Ref: APP/D1780/W/17/3168889
58 Portswood Road, Southampton SO17 2FW

- 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 C Singh against the decision of Southampton City Council.
- The application Ref 16/01567/FUL, dated 14 September 2016, was refused by notice dated 24 January 2017.
- The development proposed is the construction of rear extension and roof alterations.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on (i) the character and appearance of the host property and its surroundings and, (ii) the living conditions of neighbouring occupiers with particular regard to whether or not the extension would have an overbearing effect.

Reasons

Character and Appearance

3. Portswood Road provides a mix of residential and commercial development. No 58 is currently in commercial use, although it has the appearance of a traditional residential dwelling. To the rear the property would be extended on all four levels, with the basement and ground floor projecting some eight metres, and the first and second floors projecting some four metres. The proposal would extend across the entire width of the rear of the property. As a result the extension would overwhelm the rear of the host property, with it becoming entirely engulfed.

4. The roofline would be raised, and the pitch changed to accommodate the second floor. Accordingly the proposal would result in an entirely revised roofline and would fail to integrate with the design of the host property. Seen in the context of the adjacent row of residential properties, the depth and mass of the proposal would be out of keeping with the properties in this section of the road.

5. The harm to the character and appearance of the area would be limited at the front of the property. However, the overall effect would be an extension with a scale and mass that would fail to respect the form of the host property. It

would cause material harm to the character and appearance of the host property. As No 58 is seen in the context of the residential properties immediately adjacent, it is my view that the scale of the proposal would be incongruous and significantly out of keeping with the style of property along the road.

6. The appellant asserts that the proposal would be seen in the context of No 56. No 56 has been significantly extended to provide a commercial and residential use. The extension dominates the rear façade and is in striking contrast to the properties along Portswood Road, including No 58, in its current form. In my view the proposal would be seen in the context of the general built form along the road. Although the scale would not be dissimilar to No 56, it would fail to respect the general character of the area which is of a far more modest scale.

7. Accordingly, I find that the design, depth and mass of the proposal conflicts with saved Policies SDP7(iii)(iv) and SDP9 (i)(iv) of the City of Southampton Local Plan Review 2006 in so far as these policies seek to ensure high quality design that respects the scale and proportion of existing buildings. The proposal would fail to comply with Policy CS13 of the Local Development Framework Core Strategy Development Plan Documents 2015 in respect of its failure to respond positively to its surroundings.

Effect on the living conditions of the occupiers of neighbouring properties

8. The four storey element of the proposal would extend some four metres from the rear wall. The ground and basement level would extend some eight metres from the rear wall. As a result the occupiers of No 60 would have a flank wall extending significantly past the build line of the existing property, which is approximately in line with the build line of No 60. The depth and mass of the proposal would result in an overbearing and dominating form of development which would have a severely detrimental impact on the living conditions of the occupiers of No 60.

9. The property at No 60 has a garage on the boundary with No 58 at ground floor level, which provides for a gap between the two properties and therefore the impact of the eight metre element at ground floor would be reduced. However, the two storey element extends some four metres, incorporates significant roof alterations, and would be the full width of the host property. Therefore, despite the small separation distance and garage, the extension would have a significantly overbearing effect on the occupiers of No 60, particularly when using their garden. The appellant has referred to planning permission being granted for a two storey rear extension at No 60[1]. I consider that permission to be materially different to the proposal before me, with specific regard to the overall scale of the extension being subservient to the host property. I have determined this appeal on the merits of the proposal.

10. The extension would have windows on the side elevation facing No 56. I note the comments that the windows facing No 58 from No 56 are secondary windows, however, due to the distance between the properties I still consider that the proposal would result in an element of overlooking.

[1] Ref 14/01788/FUL

11. Overall, I find that the depth and mass of the proposal would result in an extension that would have an overbearing effect on the occupiers of the neighbouring properties, specifically those at No 60. Accordingly it conflicts with saved Policies SDP1(i) and SDP9(v) of the City of Southampton Local Plan Review 2006 in respect of its effect on amenity. The proposal would not have a positive impact on amenity and is therefore contrary to Policy CS13 of the Local Development Framework Core Strategy Development Plan Documents 2015. Furthermore, as the host property is of a residential form, despite its current use, the proposal would fail to accord with the design principles of the Residential Design Guide Supplementary Planning Document 2006.

Other Matters

12. I note that in 2016 there was an application for prior approval for a change of use of the building from Class B1 to Class C3[2]. That permission has not been implemented and I have no evidence before me to suggest that this proposal is necessary to implement the prior approval. Accordingly I have attached limited weight to it.

Conclusion

13. For the reasons given above, and taking account of all other matters raised, I conclude that the appeal should be dismissed.

J Ayres

INSPECTOR

[2] 16/00810/PA56