



Appeal Decision

Site visit made on 7 April 2025

by Mr C J Tivey BSc (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 April 2025

Appeal Ref: APP/D1780/D/25/3360769

21 Copperfield Road, Southampton SO16 3NW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Jassi Bains against the decision of Southampton City Council.
 - The application Ref. is 23/01164/FUL.
 - The development proposed is for a double storey rear and side extension and loft conversion.
-

Decision

1. The appeal is allowed and planning permission is granted for a double storey rear and side extension and loft conversion at 21 Copperfield Road, Southampton SO16 3NW in accordance with the terms of the application, Ref. 23/01164/FUL and the plans submitted with it, with no conditions.

Preliminary Matters

2. The proposal before me is retrospective in nature with the development having been substantially completed at the time of my site visit and which has been constructed broadly in accordance with the submitted drawings.
3. Since the planning application, the subject of this appeal was determined, a new version of the National Planning Policy Framework (the 'Framework') has been published (12 December 2024) and consequently amended on 7 February 2025. There has been no material change to national planning policy in respect of householder appeals and therefore I considered that it was not necessary to refer back to the parties. I have determined the appeal on this basis.

Main Issue

4. The main issue is the effect of the appeal proposal upon the character and appearance of the area.

Reasons

5. The appeal site is located within a residential estate of mixed architecture and also within a short run of semi-detached two storey houses that have been altered and extended over time. Much like the appeal site 1 The Parkway and 15 Copperfield Road have been extended over two storeys to their side elevations.
6. Planning permission 21/01056/FUL permitted the erection of a single storey rear extension and first floor side extension to the host dwelling in September 2021; and

whilst there are quite significant differences between that permission and the scheme that is before me, nonetheless the principle of a two storey side extension (albeit in the form of a first floor extension over a former garage) has been deemed acceptable in the recent past. The proposed front elevation highlights the outline of the approved scheme which at first floor level proposed a flank elevation at right-angles to the principal elevation, whilst retaining the tapered garage flank elevation which ran parallel to the boundary shared with 23 Copperfield Road at ground floor level.

7. I acknowledge that the appeal proposal seeks planning permission to extend the width of the side extension by 0.7m more, where it would sit along the boundary and whilst that does give rise to a tapered flank elevation over both storeys, nonetheless, I consider that to be largely imperceptible within the street scene. The Residential Design Guide SPD states that extensions should be subordinate to the original dwelling and that extensions to the side of a house should avoid creating a terracing effect, and that where building up to the boundary is unavoidable, the front of the extension should be set back. I am not sure that building up to the boundary was unavoidable, however, by virtue of the existing single storey garage serving no.23, there would remain a reasonable gap at first floor level between the two neighbouring properties, such that a terracing effect would not occur. The lack of a set-back of the front of the extension mirrors that of the previous approval and overall I consider that the extension, when viewed from the highway, would appear subordinate in form; and consequently I find the street scene impacts of the proposal to be acceptable.
8. Turning to the rear of the proposal, a substantial first floor extension with a crown roof has been constructed partly over a large flat roof single storey extension. This in itself, when combined with a box dormer to the rear roof slope appear incongruous and lack sympathy to the original design of the host property and the pair of semi-detached properties of which it forms part. The fact that the first floor rear extension is off-set from the dormer does not help matters, but it does benefit in the sense that it reduces the impact that it would have upon the first floor rear windows of no19 adjoining.
9. I acknowledge that the SPD states that roof form and pitch must relate to the original design of the building and existing roof, and this usually means a pitched roof (hipped or gabled) set lower than the ridge of the main roof. Section 2.5.4 of the SPD goes on to provide more detail with regard to the design of dormer windows, whilst SPD section 2.3.2 requires extensions to be smaller than the main part of the house and not dominate its appearance.
10. However, there is substantial mature vegetation to the rear of the site and within the neighbouring gardens to each side. Consequently, the visual impacts of the scheme are very limited with the predominant views of the extensions being from within the appeal site itself. Therefore, on balance, whilst the proposal does not adhere to the SPD, in this instance I find that no demonstrable harm would be caused to the character and appearance of the area, notwithstanding any conflict with Policies SDP7 and SDP9 of the City of Southampton Local Plan Review (2015), Policy CS13 of the Local Development Framework Core Strategy Development Plan Document (2015) and Policy BAS4 of the Bassett Neighbourhood Plan (2016).

Other Matters

11. I note the third party concerns with regard to the retrospective nature of the planning application and quite clearly this is far from ideal, however no criminal offence has been caused. Furthermore, any issues with regard to land ownership are civil matters beyond the scope of the planning system.
12. In terms of impacts upon living conditions, the Council have explained that whilst not permitted development the proposed rear dormer offers a similar outlook to a dormer that could be erected under such rights and would unlikely severely impact existing amenities for neighbouring properties in terms of outlook and daylight. In addition, the Council has stipulated that there are no side elevation windows which could cause overlooking into neighbouring properties, therefore any potential for a loss of privacy would be slight. The first floor rear addition would not breach the 45° rule set out in the SPD when applied to no23, although the Council highlights that a small breach would occur at the western rear corner, but would unlikely severely impact existing outlook or daylight to the occupants of no19. Combined with comments concerning the Juliet balcony, I consider these issues are not determining factors in this appeal and I have been given no substantive reason to come to a different conclusion to the Council on these matters.

Conclusion and Conditions

13. For the reasons set out above and having regard to all other matters raised, I conclude that the appeal should succeed.
14. The Council has suggested that conditions concerning the time for implementation, compliance with approved plans and that materials to match the existing building are imposed, however bearing in mind the retrospective nature of this scheme, I consider that no such conditions are necessary.

C J Tivey

INSPECTOR