REF. NO. F/11/70088

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	-	Retrospective: Retention of first floor french doors to rear Southampton Arms 89 Moorgreen Road West End Southampton SO30 2HG

SITE VISIT DATE 10/01/2012

ARE PLANS ACCURATE? Yes

HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED? Yes

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The public house is currently being renovated internally and the first floor French doors will serve a bedroom. The applicants require access onto the flat roof for emergency purposes only.
TOPOGRAPHY	Site relatively flat.
TREES	None to be affected.
BOUNDARY TREATMENT	Area of flat roof has no barrier. Ground level boundary treatments are irrelevant to this application.
SITE CHARACTERISTICS	Large public house with associated first floor living accommodation with garden and car park.
CHARACTER OF LOCALITY	Public house sits within an existing residential area. Bungalows to the rear.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
No relevant history		

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Mr & Mrs Vear 5 Golden Court	Comment Type: Observation Comment: We do not Object to the idea of the french doors so long as they are only used as per the design and access statement and not used as a gathering area for people for example parties or sitting out on.
Julie Haylett 2 Golden Court	If it can be guaranteed that the flat roof won't be used for any purpose whatsoever then I would not have any objections to the French Windows.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
West End Parish Council	Councillors decided they objected to these plans on the following grounds:

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CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
	Concern that the roof terrace may be used as a sun terrace in future and that the safety aspect needs consideration Concern that this is not an appropriate access point to the building for any purpose, including the stated reason

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Within Established Residential Area

DEVELOPMENT PLAN POLICIES

Eastleigh Borough Local Plan Review (2001-2011) 59.BE
Supplementary Planning Guidance : Residential Amenity in the Borough of Eastleigh

PLANNING POLICY GUIDANCE / STATEMENT

PPS1 - Delivering Sustainable Development

POLICY COMMENTARY

The above policies combine to form the criteria against which this application will be assessed with particular regard to the impact on the character and appearance of the building and wider street scene, and the impact on residential amenities.

COMMENT ON CONSULTATION RESPONSES

Comments noted. See assessment section below.

COMMENT ON REPRESENTATIONS RECEIVED

Comments and concerns noted. See assessment section below.

PLANNING OBLIGATION/CONSIDERATIONS

n/a

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

Policy 59.BE of the Local Plan requires development to take full and proper account of the context of the site including the character and appearance of the locality and be appropriate in mass, scale, materials, layout, design and siting. It also requires a high standard of landscape

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

design, have a satisfactory means of access and layout for vehicles, cyclist and pedestrians, make provision for refuse and cycle storage and avoid unduly impacting on neighbouring uses through overlooking, loss of light, loss of outlook, noise and fumes.

The proposal is considered to comply with relevant Development Plan policies in that:

- The French doors replace an existing window. The appearance of the building and its wider impact on the street scene, are not adversely affected by the provision of these doors.
- Due to the proximity and existing relationship between the public house and the bungalows to the rear, the use of the existing flat roof, which the French doors now allow access onto, would materially increase the level of overlooking of the occupiers of these bungalows.
- The Design and Access Statement accompanying the application states that the flat roof will only be utilised as emergency access and for the delivering of large items of furniture. Internal balustrading is proposed, in order to restrict access onto the flat roof, and this can be secured by planning condition.
- It is felt to be reasonable, and necessary to also impose a condition to restrict the use of the flat roof for emergency access purposes anyway. Strictly speaking this does not allow the use for the delivery of large items of furniture but this is something that will be very infrequent and is not actually considered to constitute development. As such, the delivering of large furniture is not considered to breach a condition restricting the use of the roof.
- A condition that restricts the use of the roof for emergency access only, would mean that it can't be used for storage purposes (rubbish or otherwise) as this would breach the condition.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

Recommendation is to conditionally approve for the reasons stated above.