

**Southampton City Planning & Sustainability  
 Planning and Rights of Way Panel meeting 26/6/12  
 Planning Application Report of the Planning and Development Manager**

<b>Application address:</b> 30 Glen Eyre Drive SO16 3NR			
<b>Proposed development:</b> Change Of Use From Residential (Class C3) To A 5-Bed House In Multiple Occupation (Hmo, Class C4). No External Change.			
<b>Application number</b>	12/00677/FUL	<b>Application type</b>	FUL
<b>Case officer</b>	John Fanning	<b>Public speaking time</b>	5 minutes
<b>Last date for determination:</b>	7/6/12	<b>Ward</b>	Bassett
<b>Reason for Panel Referral:</b>	Referred at request of Cllr Hannides, Cllr B Harris and public interest	<b>Ward Councillors</b>	Cllr Hannides Cllr L Harris Cllr B Harris

<b>Applicant:</b> Mrs Lena Chesney	<b>Agent:</b> N/A
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<b>Recommendation Summary</b>	<b>Conditionally approve</b>
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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.

Policies - SDP1 and H4 of the City of Southampton Local Plan Review (March 2006) and CS16 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

<b>Appendix attached</b>			
1	Development Plan Policies	2	Planning history

**Recommendation in Full**

**Conditionally approve**

**1. The site and its context**

- 1.1 The site comprises a corner plot on the southern side of Glen Eyre Drive. The building itself is a detached two-storey dwelling which due to the slight curve of the street is set forward of the neighbouring property at number 32.
- 1.2 Immediately to the south and west of the site is the large halls of residence blocks comprising the Glen Eyre student residential accommodation owned and

managed by the University of Southampton. Other than this the surrounding area appears to be uniformly detached family dwellings set within attractive and well landscaped gardens.

## **2. Proposal**

- 2.1 The application does not propose any external alterations to the physical form of the dwelling.
- 2.2 The proposal is for the change of use from a Class C3 residential dwelling to a Class C4 house in multiple occupation (HMO). The application seeks permission for the occupation of the property by up to 5 individuals.

## **3.0 Relevant Planning Policy**

- 3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (March 2006) and the City of Southampton Core Strategy (January 2010). The most relevant policies to these proposals are set out at **Appendix 1**.
- 3.2 Major developments are expected to meet high sustainable construction standards in accordance with the City Council’s adopted and emerging policies. In accordance with adopted Core Strategy Policy CS20 and Local Plan “saved” Policy SDP13.

## **4.0 Relevant Planning History**

- 4.1 A first floor level side extension was approved under planning application reference 10/00382/FUL on the 14.06.2010. Full details of the relevant application can be found in **Appendix 2**.

## **5.0 Consultation Responses and Notification Representations**

- 5.1 Following the receipt of the planning application a publicity exercise in line with department procedures was also undertaken which included notifying adjoining and nearby landowners, placing a press advertisement (enter date) and erecting a site notice (enter date). At the time of writing the report **9** representations have been received from surrounding residents.

## **5.2 *Out of character with surrounding area***

### **5.3 Response**

Of the nine properties within the 40m radius of the site none are currently in HMO (including the application site). Therefore the development does not violate the 10% threshold outlined in the HMO SPD. Should this application be approved, the threshold limit would restrict any additional HMO’s being approved within the radius area and therefore prevent an over dominance of HMOs which could result a change in the character of the area. Taking into the spatial characteristics of the site including the set back and boundary treatments between properties it is not considered that a single HMO would generate such additional activity so as to represent a significantly harmful impact to the character of the surrounding area or the occupiers of adjoining properties.

## **5.4 *Permission will result in deterioration of maintenance of building/accumulation of rubbish***

- 5.5 **Response**  
The adequate maintenance of a dwelling is the responsibility of the landlord, regardless of the occupancy of the dwelling. Adequate refuse storage can be provided within the site to conform to the Council's adopted standards.
- 5.6 ***Presence of halls of residence in immediate vicinity***
- 5.7 **Response**  
The surrounding land uses have been assessed as part of the decision making process for the application. Please note, as per the HMO SPD, halls of residence are discounted from the survey of surrounding properties for the threshold criteria.
- 5.8 ***Site has insufficient on site parking for the proposed use***
- 5.9 **Response**  
The maximum parking standards of the HMO SPD outline a maximum provision of 3 cars for a 5-bed HMO in this area. As such a condition will be included limiting the on site parking provision to a maximum of 3 cars.
- 5.10 ***Increase in noise associated with the property, particularly early morning***
- 5.11 **Response**  
It is judged that the large plots and detached nature of the residence represent sufficient amelioration of any potential impacts for them not to represent significant enough harm to justify a reason for refusal based on these grounds.
- 5.12 ***Applicant will ignore planning restrictions and occupy the property with more than 5 people***
- 5.13 **Response**  
The Enforcement team would investigate any potential breach of planning conditions and take action where appropriate.

**SCC Consultation responses:**

- 5.14 **SCC Housing** – Note that bedroom 5 falls under the size criteria specified in Appendix 1 – Guidance on Standards for HMOs of the SCC HMO Supplementary Planning Document (SPD).
- 5.15 **SCC Highways** – Under the parking permit zone the property will continue to benefit from the possibility of 2 parking permits, identical to the existing situation. As such it is judged that the impact of the proposal would be minimal. The provision of additional secure cycle storage is recommended.

**6.0 Planning Consideration Key Issues**

- 6.1 The key issues for consideration in the determination of this planning application are:
- I. Principle of conversion into an HMO
  - II. Amenities provided for the occupants

## 6.2 Principle of Development

Within a 40m radius of the front door of the property there were less than 10 properties. As instructed by the HMO SPD, the nearest properties in the street were added to bring the total number of properties up to 10. The halls of residence were excluded from this count, as per paragraph 6.4.2 of the HMO SPD.

The concentration of HMOs surrounding the application site is **0%** (0/11). Were this application to be approved the concentration would be **9%** (1/11).

The development therefore does not appear to violate the 10% threshold for HMOs.

6.3 It is considered that the presence of the threshold of 10% would sufficiently protect the area from a potentially harmful future change in character. It is not considered that the presence of a single HMO in the immediate area would represent a significant enough harm to the character of the area sufficient to justify refusal of the application.

6.4 A HMO has potentially different impacts on amenity of neighbouring properties when compared to a Class C3 residential dwelling. A condition is recommended to limit the cars allowed on the site to the maximum provision of 3 under the HMO SPD. See paragraph 5.3 for an assessment of the Highways concerns raised in conjunction with this application. It is judged that the majority of potential issues (i.e. possible increase in noise) would be mitigated by the detached nature of the property and the ample amenity space afforded to the application site.

## 6.5 Amenities provided

As noted in paragraph 5.2, bedroom 5 has an area of 6.1m<sup>2</sup> which falls short of the 6.5m<sup>2</sup> identified for bedrooms where a separate communal living room is provided in Appendix 1 of the HMO SPD (Guidance on standards for HMOs). The proposal meets the other requirements.

On balance, taking into account that the property benefits from significant amounts of external amenity space and an additional 8m<sup>2</sup> of communal living space beyond the requirement outlined, it is not considered that this represents a significant enough reason to refuse the application.

## 7.0 Summary

7.1 The proposal does not violate the threshold criteria and it is not considered that the creation of a singular HMO will have a significantly detrimental impact on the character of the area. It is considered that the features of the site and its surrounds would be sufficient to mitigate any potential impacts of the development which cannot be controlled through the use of conditions.

## 8.0 Conclusion

8.1 Subject to the imposition of the suggested conditions attached to this report, the proposal would be acceptable. The application is therefore recommended for approval.

**Local Government (Access to Information) Act 1985**  
**Documents used in the preparation of this report Background Papers**

1(a), 1(b), 1(c), 1(d), 2(b), 2(d),4(f), 4(qq), 6(c), 7(a), 9(a), 9(b).

**JF1 for 26/06/12 PROW Panel**

**PLANNING CONDITIONS**

**01. APPROVAL CONDITION - Permitted change between Class C3 and Class C4 (time limited)**

The application hereby permitted shall allow the change between a residential dwelling (Class C3) and a House in Multiple Occupation (Class C4) for a period of up to 10 years from the date on which this decision is issued unless otherwise agreed in writing by the Local Planning Authority. After this period the occupied use on that date will become the lawful use of the property.

Reason:

To provide flexible use and comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

**02. APPROVAL CONDITION - Parking**

Notwithstanding the details hereby approved, no more than 3 cars shall be parked within the application site at any given time unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interests of highways safety.

**03. Approval Condition - Cycle Storage (Performance condition)**

Within 3 months of the issuing of this decision details shall be submitted to the Local Planning Authority demonstrating the provision of 5 secure cycle storage spaces. These spaces shall be maintained as such thereafter for that purpose.

Reason

To ensure cycle storage is provided for future occupants of the site.

**04. APPROVAL CONDITION - 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.

**POLICY CONTEXT**

Core Strategy - (January 2010)

CS16          Housing Mix and Type

City of Southampton Local Plan Review – (March 2006)

SDP1          Quality of Development  
H4              Houses in Multiple Occupation

Supplementary Planning Guidance

Houses in Multiple Occupation Supplementary Planning Document - (March 2012).

Web link to the Houses in Multiple Occupation Supplementary Planning Document:

<http://www.southampton.gov.uk/s-environment/policy/planningdocuments/hmo-spd.aspx>

**Application** 12/00677/FUL

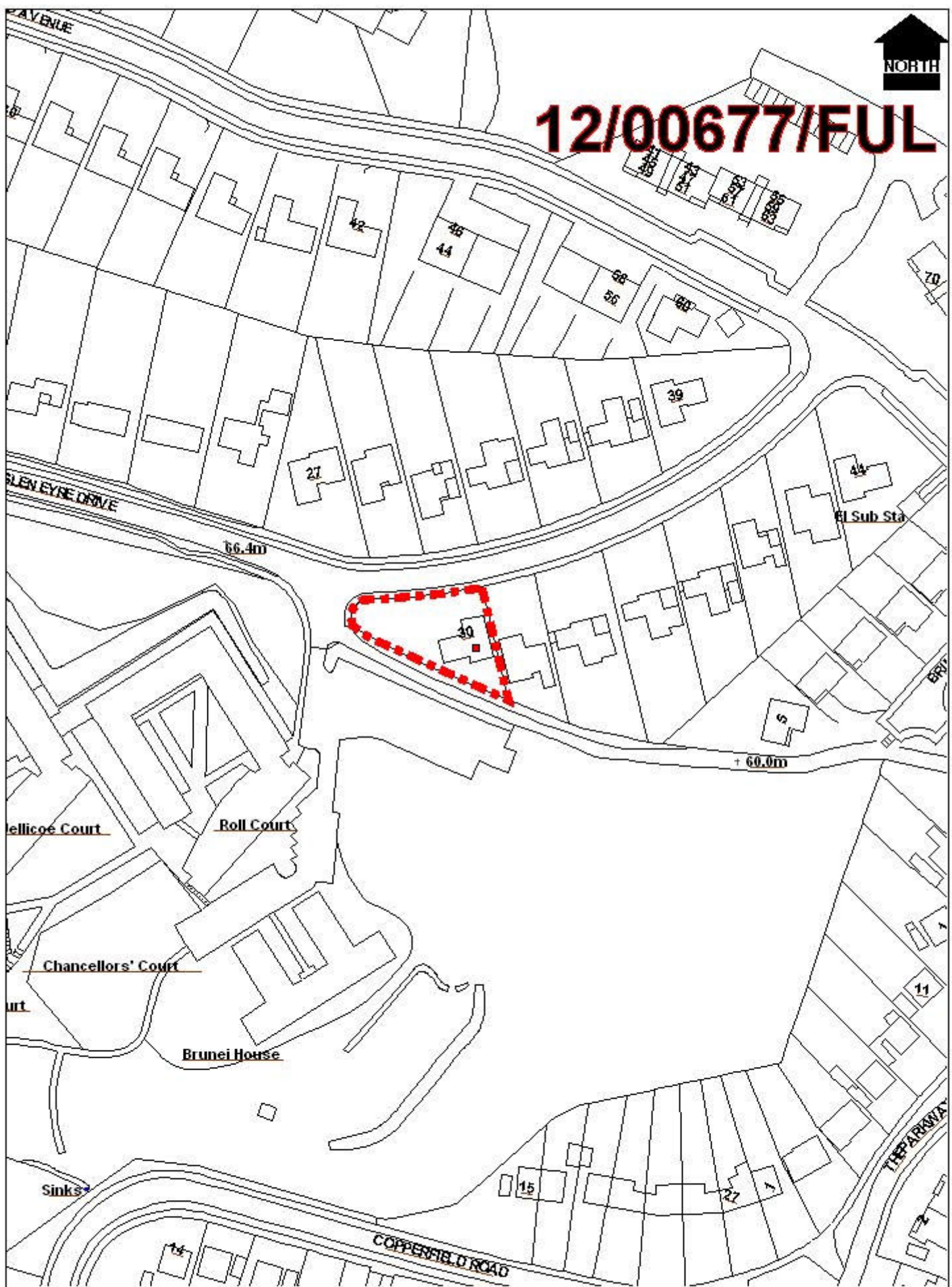
**APPENDIX 2**

**Relevant Planning History**

10/00382/FUL, First floor side extension including juliet balcony to side (West) elevation,  
Conditionally Approved 14.06.2010



**12/00677/FUL**



Scale : 1:1250

Date : 14 June 2012

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