

**Planning, Transport & Sustainability Division  
 Planning and Rights of Way Panel 23 April 2013  
 Planning Application Report of the Planning and Development Manager**

<b>Application address:</b> 24 Dell Road			
<b>Proposed development:</b> Conversion of existing 3 bed house to 1x2-bed flat, and 1x3-bed flat, with associated refuse/cycle storage.			
<b>Application number</b>	12/00856/FUL	<b>Application type</b>	FUL
<b>Case officer</b>	Jenna Turner	<b>Public speaking time</b>	5 minutes
<b>Last date for determination:</b>	10.07.12	<b>Ward</b>	Bitterne Park
<b>Reason for Panel Referral:</b>	Request by Ward Member and five or more letters of objection have been received	<b>Ward Councillors</b>	Cllr White Cllr Baillie Cllr Inglis

<b>Applicant:</b> Mr Anjuim Moied	
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<b>Recommendation Summary</b>	<b>Delegate to the Planning and Development Manager to grant planning permission subject to criteria listed in the report</b>
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**Reason for granting Permission**

The development is acceptable taking into account the policies and proposals of the Development Plan and other guidance as set out below. Other material considerations such as those listed in the report to the Planning and Rights of Way Panel on the 23.04.13 do not have sufficient weight to justify a refusal of the application. The provision of flats is in accordance with adopted policies which require efficient use of previously developed sites to provide housing and the level of car parking proposed is in accordance with adopted car parking standards. Where appropriate planning conditions have been imposed to mitigate any harm identified. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 186-187 of the National Planning Policy Framework (2012). In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004, Planning Permission should therefore be granted taking account of the following planning policies:

“Saved” Policies – SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SP12, SDP13, H1, H2, and H7 of the City of Southampton Local Plan Review - Adopted March 2006 as supported by the adopted LDF Core Strategy (2010) policies CS4, CS5, CS13, CS19 and CS20 and the Council’s current adopted Supplementary Planning Guidance. The guidance within the National Planning Policy Framework (2012) is also relevant to the determination of this planning application.

<b>Appendix attached</b>			
1	Development Plan Policies		

## **Recommendation in Full**

1) Delegate to the Planning and Development Manager to grant conditional approval subject to:

(i) the submission of satisfactory amended plans to improve the car parking layout for 2 vehicles and access as detailed in the Highway Officers comments and;

(ii) the submission of a satisfactory Arboricultural Report.

2) In the event that satisfactory amended plans and Arboricultural information are not submitted before the 7th May 2013, that the Planning and Development Manager be authorised to refuse permission.

3) That the Planning and Development Manager be given delegated powers to remove, vary or add conditions as necessary.

### **1. The site and its context**

1.1 The application site contains a detached, chalet-style bungalow with dormer windows to the front and rear roof slopes, serving accommodation within the roof-space. The site is located on a hill and is set at a higher level than the road. The neighbouring properties either side of the site are full two storey in height. The surrounding area is residential and although the style and appearance of individual properties vary within the street, there is an overall suburban character. Mature trees are a key aspect of the character of the street and there are mature trees on the site which are subject of a Tree Preservation Order.

### **2. Proposal**

2.1 The application proposes to convert the existing property into 2 flats comprising one two-bedroom and one three-bedroom. The external changes are limited to alterations to the fenestration and the provision of two car parking spaces and storage to the property frontage.

### **3. 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 The National Planning Policy Framework (NPPF) came into force on 27<sup>th</sup> March 2012 and replaces the previous set of national planning policy guidance notes and statements. The Council has reviewed the Core Strategy to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.

### **4. Relevant Planning History**

4.1 There have been no recent planning applications relating to this property.

## **5. Consultation Responses and Notification Representations**

5.1 Following the receipt of the planning application a publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners and erecting a site notice (14.06.12). At the time of writing the report **10** representations have been received from surrounding residents, including from the Local Ward Councillor Baillie. Councillor Baillie requested panel determination due to concerns that flats are out of character and would exacerbate parking issues in the area. The following is a summary of the points raised:

5.2 ***Flats would be out of keeping with the street and would set a precedent for further similar development.***

### **5.3 Response**

The proposed external changes are minimal and would not have a significant impact on the appearance of the property. The proposal would make good use of previously developed land to provide an additional residential unit and would retain a family-sized unit on site. The introduction of smaller residential units within the street would increase the choice of accommodation available and create a mixed and balanced community. The type of development is therefore considered to be acceptable.

5.4 ***The development does not incorporate enough off-road car parking spaces and would therefore exacerbate existing on-street car parking issues within Dell Road.***

### **5.5 Response**

The submitted plans indicate that two car parking spaces would be provided to the front of the property and this level of car parking is in accordance with the adopted maximum car parking standards. However, it is not clear that these spaces could be provided without having a harmful impact on highway safety or the protected trees and therefore refusal is recommended if acceptable revised plans or tree information is not submitted within the given timescales.

5.6 ***The development would exacerbate existing flooding issues within the area.***

### **5.7 Response**

The site does not lie within an area of flood risk. Southern Water have not raised an objection in terms of surface water drainage issues and recommended that surface water disposal would need to be investigated at the Building Regulations stage.

5.8 ***The front facing ground floor bedroom proposed would be overshadowed by the protected tree on site.***

### **5.9 Response**

There would be a very similar relationship between the proposed habitable accommodation and the trees to that which currently exists on the site. Both the units would be dual aspect meaning that they also benefit from accommodation which overlooks the rear garden area. As such, the residential environment is considered to be acceptable.

## **Consultation Responses**

- 5.10 **SCC Highways** - The size of the car parking spaces are shown are insufficient in size and the sightlines from the access would be poor. Revised details are required to either improve the access, provide on-site turning or to reduce the number of car parking spaces further. If the number of car parking spaces are reduced, an on-street parking survey would be required to demonstrate that parking could be accommodated on the street.
- 5.11 **SCC Trees** – The dwelling is surrounded by TPO trees and protected groups. An arboricultural impact assessment would therefore be required before the application can be determined.
- 5.12 **Southern Water** – No objection. Suggest a note to applicant on the decision notice relating to the requirements to connect to the public sewer.

## **6. Planning Consideration Key Issues**

- 6.1 The key issues for consideration in the determination of this planning application are:
- i. The principle of development;
  - ii. The impact on the character of the area and residential amenity;
  - iii. The quality of the residential environment proposed;
  - iv. Parking and highways and;
  - v. Impact on protected trees.

### **6.2 Principle of Development**

- 6.2.1 The proposal would make efficient use of previously developed land to provide further housing and the introduction of smaller units would help to contribute to a mixed and balanced community. The proposed conversion would include a 3 bedroom unit on the ground floor and this unit has direct access to a garden area which exceeds 20 sq.m in area. The development would result in a density of 41 dwellings per hectare which is in accordance with the range of 35 to 50 d.p.h set out in policy CS5 of the Core Strategy. The principle of development is therefore considered to be acceptable and the proposal would assist the Council in delivering its housing requirements.

### **6.3 Impact on the character and residential amenity**

- 6.3.1 The proposed external alterations are limited to alterations to fenestration of the building which are not considered to result in a significant impact on the character of the area or residential amenity. The intensification of the site is not considered to result in a significant increase in activity that would be harmful to residential amenity. Refuse and cycle storage would occur to the property frontage and a condition is suggested to ensure that this is suitably discreet, and well-screened.

### **6.4 Quality of the Residential Environment**

- 6.4.1 Each flat would have direct access to the rear garden which is approximately 277sq.m in area and therefore exceeds the 40 sq.m required by the Council's Residential Design Guide. The space could be subdivided to ensure each unit

has a private area and a condition is suggested to secure this. The space is stepped, so in spite of the gradient, provides a useable area for occupants. Outlook from habitable room windows is considered to be acceptable and access to cycle and refuse storage would be convenient. Overall, the quality of the residential environment is considered to be acceptable.

## 6.5 Parking and Highways

6.5.1 A maximum of four car parking spaces is permitted by the Parking Standards Supplementary Planning Document and the provision of two spaces would accord with this. Furthermore, when considering an appeal at 36 Dell Road (application reference 10/00454/OUT), the Inspector found that the provision of two car parking spaces to serve five flats would be sufficient. The size of the car parking spaces shown however, are insufficient and since the visibility from the access is poor, the layout would require on-site turning or an improved access. As such, unless acceptable revised plans are received which addresses this issue, refusal is recommended on the basis of highway safety.

## 6.6 Impact on Protected Trees

6.6.1 The application is not accompanied by an accurate tree survey or report. Having regard to the proposed creation of new vehicular hardstanding to the property frontage and the change of levels that exists to the property frontage, the proposal could have an impact on the protected oak tree to the property frontage. As such, unless a report is submitted which satisfactorily demonstrates that the health of the tree would not be affected by the development and its revised parking, then it is recommended that the application be refused.

## 7. Summary

7.1 The principle of the conversion of the existing property into two flats is acceptable and a good quality residential environment would be achieved. Subject to the receipt of amended plans and a tree report, the scheme is considered to be acceptable.

## 8. Conclusion

8.1 Subject to the imposition of the suggested conditions attached to this report and the submission of the required plans and information, 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), (b), (c), (d), 2 (b), (c), (d), 3(a), 4 (f), (vv) 6 (a), (c), (f), (i), 7 (a)

JT for 23/04/13 PROW Panel

### PLANNING CONDITIONS

#### **01. APPROVAL CONDITION - Full Permission Timing Condition - Physical works**

The development works hereby permitted shall begin not later than three years from the date on which this planning permission was granted.

Reason:

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

**02. APPROVAL CONDITION - Materials to match [Performance Condition]**

The materials and finishes to be used for the external walls, windows (including recesses), drainage goods and roof in the construction of the building hereby permitted shall match in all respects the type, size, colour, texture, form, composition, manufacture and finish of those on the existing building.

Reason:

To enable the Local Planning Authority to control the development in detail in the interest of the visual amenities of the locality and to endeavour to achieve a building of high visual quality and satisfactory visual relationship of the new development to the existing.

**03. APPROVAL CONDITION - Refuse & Recycling Bin Storage [Pre-commencement condition]**

Prior to the commencement of the development hereby approved, full details of the appearance of the refuse and recycling bin storage shall be submitted to the Local Planning Authority for approval in writing. The storage shall be implemented in accordance with the agreed details before the flats are first occupied.

Reason:

In the interests of the visual appearance of the building and the area in general.

**04. APPROVAL CONDITION - Cycle Storage [Pre-commencement condition]**

Prior to the commencement of the development hereby approved, full details of the appearance of the cycle storage shall be submitted to the Local Planning Authority for approval in writing. The storage shall be implemented in accordance with the agreed details before the flats are first occupied.

Reason:

In the interests of the visual appearance of the building and the area in general and to promote alternative modes of travel to the private car.

**05. APPROVAL CONDITION – Parking and Access [pre-occupation condition]**

Prior to the occupation of the development hereby approved both the access to the site and the parking spaces for the development shall be provided in accordance with the plans hereby approved. The parking shall be retained for that purpose and not used for any commercial activity.

Reason:

To ensure a satisfactory form of development

**06. APPROVAL CONDITION - Energy (Pre-Occupation Condition)**

Written documentary evidence demonstrating that the development will at minimum achieve a 20% reduction in CO2 emissions over part L of the Building Regulations shall be submitted to the Local Planning Authority and verified in writing prior to the first occupation of the development hereby granted. Technologies that meet the agreed specifications must be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained thereafter.

Reason:

To reduce the impact of the development on climate change and finite energy resources

and to comply with adopted policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

**07. APPROVAL CONDITION – Retention of front boundary treatment/ No further hardstanding [performance condition]**

Notwithstanding the plans hereby approved further details of the boundary treatment fronting Dell Road shall be submitted to and approved in writing prior to the commencement of development. The agreed works shall be provided prior to the development's first occupation.

Reason:

In the interests of visual amenity

**08. APPROVAL CONDITION - Amenity Space [pre-commencement condition]**

Prior to the commencement of the development hereby approved, a plan showing how the rear garden area will be subdivided shall be submitted to and approved in writing by the Local Planning Authority. The garden area and both the accesses to it shall be provided in accordance with the agreed details before the flats first come into occupation.

Reason:

To ensure an acceptable residential environment is achieved.

**09. APPROVAL CONDITION - Hours of work for Demolition / Clearance / Construction [Performance Condition]**

All works relating to the demolition, clearance and construction of the development hereby granted shall only take place between the hours of;

Monday to Friday 08:00 hours to 18:00 hours (8.00am to 6.00pm)

Saturdays 09:00 hours to 13:00 hours (9.00am to 1.00pm)

And at no time on Sundays and recognised public holidays.

Any works outside the permitted hours shall be confined to the internal preparations of the buildings without audible noise from outside the building, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To protect the amenities of the occupiers of existing nearby residential properties.

**10. 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.

**Note to Applicant**

1. Southern Water – Public Sewerage - Informative

A formal application for connection to the public sewerage is required in order to service this development. Please contact Southern Water's Network Development Team.

**POLICY CONTEXT**

Core Strategy - (January 2010)

CS4	Housing Delivery
CS6	Housing Density
CS13	Fundamentals of Design
CS16	Housing Mix and Type
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS22	Promoting Biodiversity and Protecting Habitats

City of Southampton Local Plan Review – (March 2006)

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP7	Urban Design Context
SDP9	Scale, Massing & Appearance
SDP12	Landscape & Biodiversity
SDP13	Resource Conservation
SDP14	Renewable Energy
H1	Housing Supply
H2	Previously Developed Land
H7	The Residential Environment

Supplementary Planning Guidance

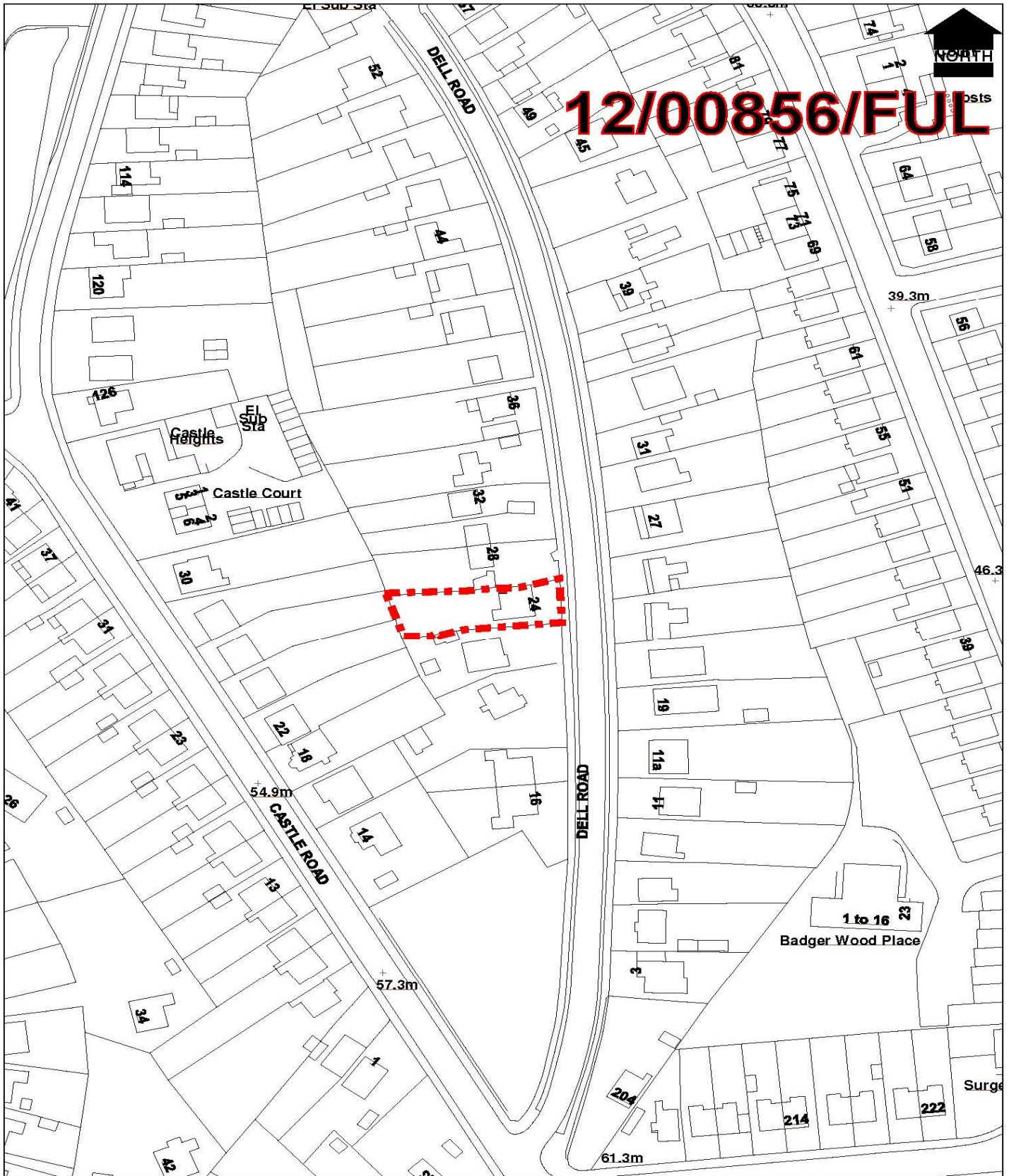
Residential Design Guide (Approved - September 2006)

Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework 2012





Scale : 1:1250

Date : 10 April 2013

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