

Planning, Transport & Sustainability Division
Planning and Rights of Way Panel 20th August 2013
Planning Application Report of the Planning and Development Manager

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

Applicant: Mr Anjuim Moied	
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Recommendation Summary	Conditionally Approve
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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 20.08.13 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.

Appendix attached

1	Previous report to panel	2	Minutes of previous panel meeting
3	Relevant Planning Polices	4	36 Dell Road Appeal Decision

Recommendation in Full

Conditionally Approve

1. **Background**

- 1.1 This planning application was originally considered by the Planning and Rights of Way Panel on the 23rd April 2013. At this meeting, members resolved to grant planning permission for the conversion of the property into two flats subject to the provision of a satisfactory tree report and amended plans to provide an improved parking layout for 2 cars.
- 1.2 Since this time, the Council's Highway and Tree officer have met the applicant on site to try and find a solution to the parking. However, even with revisions to the front elevation of the dwelling, due to the change in levels involved, it is not possible to comfortably provide two car parking spaces to the property frontage without placing undue pressure on the protected tree to be cut-back or felled. This report therefore seeks approval from the Planning and Rights of Way Panel to convert the property into two flats and provide one car parking space to the property frontage.
- 1.3 Since the application was last considered by the Planning Panel the applicant has provided an Arboricultural Report and an on-street car parking survey. The original report to the Planning and Rights of Way panel and minutes are attached as **Appendix 1** and **2** and the key issues and considerations are as set out in that report. As the Panel has already agreed the principle of development in the manner proposed, the only outstanding issues for consideration is whether or not 2 flats can be served by 1 parking space.

2. **Proposal**

- 2.1 The main change to the application is that one car parking space would be provided 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 3**.
- 3.2 The National Planning Policy Framework (NPPF) came into force on 27th 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 amended plans and information, a further neighbour notification exercise was undertaken and expires on the the 16.08.13. A verbal update will be provided at the Planning Panel as to any further issues raised by residents.

Consultation Responses

5.2 **SCC Highways** - No objection. The provision of one car parking space accords with standards and could be served satisfactorily by the existing access.

5.3 **SCC Trees** – The submitted tree report is acceptable and demonstrates that parking for one car could be provided without harming the protected tree.

6. Planning Consideration Key Issues

6.1 This report focuses on the amendments that have been made to the application proposal, the remainder of the considerations are as set out in the previous report to the Planning and Rights of Way Panel (**Appendix 1**).

6.2 The applicant has explored a number of options to enable the provision of two car parking spaces to the front of the property including physical alterations to the front of the dwelling to provide more room of the maneuvering of vehicles. However, with the provision of two car parking spaces the vehicle turning space would be tight and constrained by the protected tree on site. The Tree Team have advised that this would place undue pressure on the protected tree to be cut back or felled.

6.3 One car parking space can however, be accommodated to the front of the property without causing damage on the protected tree. The provision of one car parking space would accord with the Council's maximum car parking standard of four spaces. Furthermore, the recent appeal decision at 36 Dell Road included in **Appendix 4** is a material consideration. Paragraph 20 of the appended decision sets out that the provision of 2 spaces to serve 5 flats would be acceptable having regard to the sustainable location of the site and the capacity of the un-restricted kerbside parking in Dell Road. The same reasoning is applicable for this application and furthermore, the applicant has provided an on-street car parking survey which indicates adequate capacity to deal with one potential overspill car. As such, Highways have raised no objection to the provision of one car parking space to serve the flats and the proposal is considered to be acceptable in this respect.

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. The reduced level of parking is again considered to be acceptable.

8. 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), (b), (c), (d), 2 (b), (c), (d), 3(a), 4 (f), (vv) 6 (a), (c), (f), (i), 7 (a)

JT for 20/08/13 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 space 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 a 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.

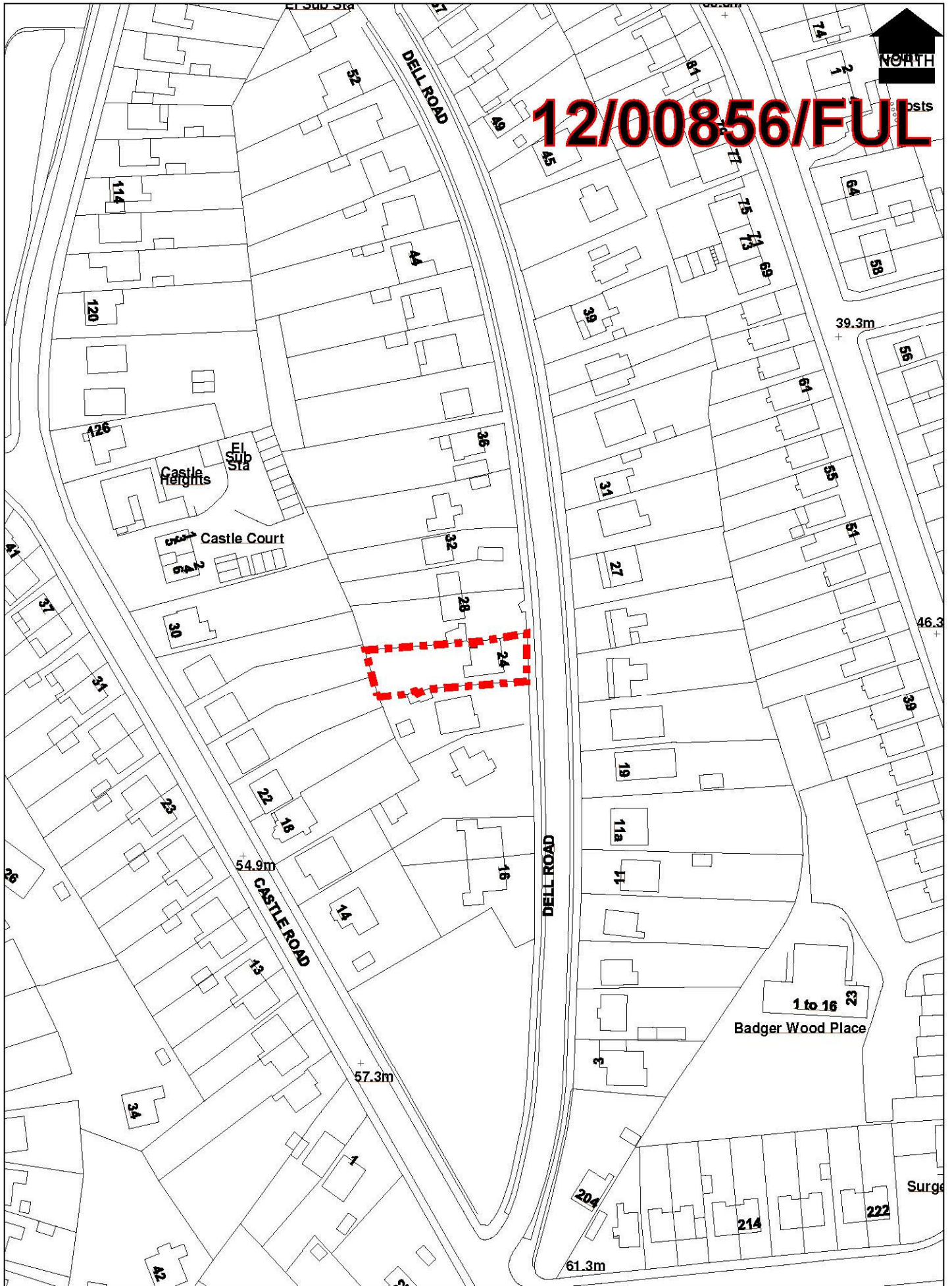
Reason:

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.



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Scale : 1:1250

Date : 06 August 2013

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