

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

<b>Application address:</b> 15 Belmont Road SO17 2GD			
<b>Proposed development:</b> Change of use from a Family Dwelling (C3) to a House of Multiple Occupation with eight bedrooms, with associated bin and cycle stores.			
<b>Application number</b>	14/01034/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>	2/9/14	<b>Ward</b>	Portswood
<b>Reason for Panel Referral:</b>	Request by Ward Member	<b>Ward Councillors</b>	Cllr O'Neil Cllr Claisse Cllr Norris

<b>Applicant:</b> Mr Sihota	<b>Agent:</b> Sanders Design Services Ltd
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<b>Recommendation Summary</b>	<b>Refuse</b>
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<b>Community Infrastructure Levy Liable</b>	<b>Not applicable</b>
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**Refusal**

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

**Recommendation in Full**

**Refuse**

REASON FOR REFUSAL - Impact on character of the local area

The proposed conversion of the property to a HMO will result in an excessive concentration of HMO's within the immediate area. This would result in an adverse impact on the overall character and amenity of the area surrounding the application site in terms of the mix and balance of households in the local community. Therefore, the proposal will be contrary to saved policies SDP1(i) and H4(ii) of the City of Southampton Local Plan Review (Adopted March 2006) and policy CS16 of the City of Southampton Local Development Framework Core Strategy Development Plan Document (Adopted January 2010) as supported by the

## **1.0 The site and its context**

- 1.1 The property lies within the Portswood Ward. The surrounding area is predominately residential in nature, with a mix of type. Many of the properties are either flatted blocks or have been converted as such.
- 1.2 The application site is occupied by a very sizable semi-detached Class C3 dwelling house. The original plot has been subdivided, with a new dwelling positioned to the rear facing into Westridge Road. This leaves the original dwelling with comparatively little garden space, considering the size of the property.

## **2.0 Proposal**

- 2.1 As part of this application, very few physical changes are proposed to the building. During the site visit it was noted that the 'Existing' plans had a few discrepancies from the actual building (there is a door between the ground floor 'Study' and 'Home Office' and a slightly different toilet arrangement in the loft, with access through to both rooms) however, it is not considered that these differences have a significant impact on the overall assessment. There is some internal rearrangement in terms of room uses but all of the proposed bedrooms are already habitable rooms.
- 2.2 The application proposes a change of use of the existing Class C3 dwelling to form an eight bed Sui Generis HMO. As the application proposes a new HMO, the radius criteria outlined in the HMO Supplementary Planning Document (SPD) will be a material consideration.

## **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 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.

## **4.0 Relevant Planning History**

- 4.1 An application has recently been refused and an appeal dismissed for the change of use of the property to three flats (two x 3-bed and one x 2-bed, all in Class C3 use).
- 4.2 The previous application was refused on the grounds of both overdevelopment and inadequate provision of private amenity space for all three flats.

## **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 undertaken which included notifying adjoining and nearby landowners and erecting a site notice (04/07/14). At the time of writing the report 5 representations have been received from surrounding residents. The following is a summary of the points raised:

- Late night disturbance
- Overdevelopment
- Exacerbate existing parking issues
- HMOs are already an over dominant feature of the local area
- The dwelling has previously been significantly extended and the garden subdivided
- Belmont Road already exceeds the threshold criteria outlined in the HMO SPD
- The proposed use will be associated with at least eight cars.

## 5.2 **Consultation Responses**

5.3 **SCC Highways** - Some concern about potential overspill parking but overall no objection provided condition is imposed regarding amended bike stores to comply with SCC standards.

5.4 **SCC Environmental Health** – Concern that the property would not currently comply with HMO Licensing

This property will require a licence as an HMO. Room sizes must comply with SCC standard for HMOs and fire precautions to comply with Lacors fire safety guidance. With this fire safety guidance in mind the current proposed layout to the ground floor will not comply, as the ground floor rear bedroom will be classed as an inner room, and to overcome this the door to this room should be moved to open from the protected stair well, rather than from the dining room (risk room).

5.5 **Cllr Norris** – Request that the application be taken to Panel.

## 6.0 **Planning Consideration Key Issues**

6.1 Broadly speaking, the internal layout of rooms is very similar to the existing layout and on balance it is not considered that the proposal would represent a significant difference when compared to the existing situation in terms of the amenity of the occupants of the property. It is noted that the issues raised by the Environmental Health team in terms of HMO licensing requirement are independent from Planning. That said, the relocation of the door as suggested would not require planning permission and is not considered to raise any material issues in planning terms.

6.2 As such the main consideration is the overall principle of the use of the property as an eight bed Sui Generis HMO. As a proposal for a new House in Multiple Occupation, the application will be assessed against the threshold and other criteria set out in the HMO SPD. In order to protect the character and balance of communities within an area, threshold limits have been set, in Portswood Ward this limit has been set at 10%. The surrounding area has a complex mix of a variety of different uses, with a number of properties converted to flats. As per section 6.4.2 of the HMO SPD, flatted properties of one to two beds were discounted. Due to

incomplete or fragmented information, the use of some properties was not completely clear. In line with section 6.4.5 of the HMO SPD these properties were not counted towards the threshold.

- 6.3 Following the assessment process, the percentage of HMO uses was 38%, exceeding the 10% limit set out for Portswood Ward. In accordance with section 6.6 of the HMO SPD, the applicant has provided some information to demonstrate that there is no demand for the property for sale as a Class C3 dwelling. Section 6.6.1 highlights that the exceptional circumstances should only be considered where the property forms one of the last 'one or two remaining C3 dwellings' where the conversion 'would not further harm the character of the area'. On balance, it is not considered that this is the case in this location. As such it is considered that the proposed use would be harmful to the overall character of the area and should be refused on this basis.

## **7.0 Summary**

- 7.1 While there are some concerns about other elements of the scheme, it is broadly considered that these could be addressed by condition. For the reasons discussed above, the application is recommended for refusal.

## **8.0 Conclusion**

- 8.1 The application is recommended for refusal.

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

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

**JF1 for 02/09/14 PROW Panel**

### **Reason for refusal**

REASON FOR REFUSAL - Impact on character of the local area

The proposed conversion of the property to a HMO will result in an excessive concentration of HMO's within the immediate area. This would result in an adverse impact on the overall character and amenity of the area surrounding the application site in terms of the mix and balance of households in the local community. Therefore, the proposal will be contrary to saved policies SDP1(i) and H4(ii) of the City of Southampton Local Plan Review (Adopted March 2006) and policy CS16 of the City of Southampton Local Development Framework Core Strategy Development Plan Document (Adopted January 2010) as supported by the section 6.5 of the Houses in Multiple Occupation Supplementary Planning Document (Approved March 2012).

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**APPENDIX 1**

**POLICY CONTEXT**

Core Strategy - (January 2010)

CS16	Housing Mix and Type
CS19	Car & Cycle Parking

City of Southampton Local Plan Review – (March 2006)

SDP1	Quality of Development
SDP5	Parking
H4	Houses in Multiple Occupation

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)  
Planning Obligations (Adopted - September 2013)  
Parking Standards SPD (September 2011)  
Houses in Multiple Occupation Supplementary Planning Document (March 2012)

Other Relevant Guidance

The National Planning Policy Framework 2012  
The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

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**APPENDIX 2**

**Relevant Planning History**

14/00302/FUL, Alterations to front elevation and conversion to form 3 flats (2 x 3 bed and 1 x 2 bed all within Class C3) with integral bicycle and refuse stores

Refused, 25.04.2014

Appeal Dismissed, 06.08.2014

# 14/01034/FUL



Scale: 1:1,250

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