

**Planning, Transport & Sustainability Division  
 Planning and Rights of Way Panel (West) 2 June 2015  
 Planning Application Report of the Planning and Development Manager**

<b>Application address:</b> 9 Carlton Road			
<b>Proposed development:</b> Change of use from existing class C4 HMO, 1-bedroom flat and treatment room to a 7-bedroom HMO. 2-storey side extension and creation of amenity space (resubmission of 14/01687/FUL)			
<b>Application number</b>	15/00489/FUL	<b>Application type</b>	FUL
<b>Case officer</b>	Andrew Gregory	<b>Public speaking time</b>	5 minutes
<b>Last date for determination:</b>	19.05.2015	<b>Ward</b>	Bevois
<b>Reason for Panel Referral:</b>	Request by Ward Member or five or more letters of objection have been received	<b>Ward Councillors</b>	Cllr Burke Cllr Rayment Cllr Barnes-Andrews

<b>Applicant:</b> Dr J Jenkinson	<b>Agent:</b> Simpson Hilder Associates
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<b>Recommendation Summary</b>	<b>Conditionally approve</b>
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<b>Community Infrastructure Levy Liable</b>	<b>Not applicable</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. Planning permission has been granted for conversion of the property into a seven-bed HMO (ref 14/01687/FUL) which is a material consideration as a fall back position. The proposed two-storey side extension is in keeping character and appearance of the host property and will not detract from the visual amenities of the area. Furthermore the extension will not adversely harm the residential amenities of neighbouring occupiers or the residential environment of future occupiers. 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. 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). Policies - SDP1, SDP7, SDP9 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	Delegated report and decision notice for application ref 14/01687/FUL

<b>Recommendation Summary</b>	<b>Conditionally Approve</b>
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## **1.0 Introduction**

- 1.1 The application is one of six separate applications, submitted concurrently, for similarly designed extensions to existing Houses in Multiple Occupation (HMO's) in Carlton Road. The applications currently being considered are listed as follows and are highlighted on the attached location plan:
- 7 Carlton Road reference 15/00484/FUL
  - 9 Carlton Road reference 15/00489/FUL
  - 11 Carlton Road reference 15/00483/FUL
  - 13 Carlton Road reference 15/00485/FUL
  - 17 Carlton Road reference 15/00482/FUL and 15/00398/MMA.
- 1.2 Numbers 7, 11 and 13 are all existing Use Class C4 HMO's (up to 6 persons). Number 9 (this application) benefits from planning permission for use as a larger, Sui Generis HMO (limited to 7 persons) and is essentially seeking to amend the scheme as approved to incorporate the two-storey side extension. Number 17 also benefits from planning permission for use as a larger, Sui Generis HMO (limited to 7 occupants) and also seeks to remove a condition of that permission which restricts permitted development rights.
- 1.3 Whilst it is important to take a consistent approach to decision-making, each of the above listed applications should be determined on their own merits, taking into account the specific circumstances of each site.

## **2.0 The site and its context**

- 2.1 Two-storey semi-detached property which is authorised for use as a seven-bed HMO.  
Car parking is located to the side and rear of the building. A letting agent's office is located to the rear with access taken between 9 and 11 Carlton Road. Parking controls are in place within Carlton Road and adjoining streets (permit holders/2hr waiting)

## **3.0 Proposal**

- 3.1 The proposal seeks to extend at two storey level to the side of the most rearward flank wall on the north elevation. The proposed extension at two storey level projects 2.4m from the most rearward side wall on the north elevation, with a length of 4.4m. It has a separation distance of 3m to nearest part of the common boundary of 19 Carlton Road.
- 3.2 The proposal involves the demolition of an existing single-storey extension to create a small private garden and cycle store. The proposed extension allows for a reconfiguration of the 7-bed HMO approved under 14/01687/FUL with increased

and enlarged bathroom facilities.

#### **4.0 Relevant Planning Policy**

- 4.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (as amended 2015) and the City of Southampton Core Strategy (as amended 2015). The most relevant policies to these proposals are set out at **Appendix 1**.
- 4.2 The National Planning Policy Framework (NPPF) came into force on 27 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.
- 4.3 Following the Article 4 direction coming into effect on 23 March 2012, the conversion of a family house into a small HMO for up to six people requires planning permission. Any physical improvement to the property should be purely assessed against the Council's quality of development policies where the level of occupation does not exceed a small HMO as there would be no further affect the balance and mix of the households within the local area.
- 4.4 The Houses in Multiple Occupation SPD was adopted in March 2012, which provides supplementary planning guidance for policy H4 and policy CS16 in terms of assessing the impact of HMOs on the character and amenity, mix and balance of households of the local area. The SPD sets a maximum threshold of 20% for the total number of HMOs in the ward of Bevois. It is important to be aware that as the property is already being occupied legitimately as a HMO and was established as a HMO before 23<sup>rd</sup> March 2012, the threshold, therefore, does not apply in this case. The reason being that there would be no increase in the concentration of HMOs within the assessment area (section 6.7 of the SPD refers).
- 4.5 Saved Policy SDP1 (Quality of development) of the Local Plan Review allows development, providing that it does not unacceptably affect the health, safety and amenity of the city and its citizens. Policy SDP7 (Context) and SDP9 (Scale, Massing, and Appearance) allows development which will not harm the character and appearance of the local area, and the building design in terms of scale and massing should be high quality which respects the surrounding area. Policy CS13 (Fundamentals of Design) assesses the development against the principles of good design.

#### **5.0 Relevant Planning History**

- 5.1 This application follows the permission (ref no. 14/01687/FUL) to change the use of the property from existing Class C4 HMO, 1-bedroom flat and treatment room to a 7-bedroom HMO (see **Appendix 2** for plans and decision notice). This permission has been implemented.

#### **6.0 Consultation Responses and Notification Representations**

6.1 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 (31.03.2015). At the time of writing the report 6 representations have been received from surrounding residents, including a local residents group. The following is a summary of the points raised:

6.1.1 Comment

Overconcentration of HMOs and over population within the local area already. Further occupiers will further harm the amenity of long term residents living the in local area.

Response

There will be no further change to the balance of households in the local community by extending the property alone. The property can be increased to 7 bedrooms under the extant permission. The Local Planning Authority have already determined that the impact of this change of use would not adversely affect the character and amenity of the local area.

6.1.2 Comment

Out of character. The Edwardian style of building in Carlton Road should be preserved as they are the only ones of their type in the local area. Affects the local conservation area.

Response

The proposed extension lies to the rear of the main façade. It would be a modest and proportional addition in size using matching materials to the existing building. The property is not highly visible within the setting of the conservation area within Carlton Crescent and The Avenue.

6.1.3 Comment

Increased on-street car parking demands

Response

The development does not result in any increased occupancy and a planning condition can be attached to restrict the level of occupiers to seven persons (as per application 14/01687/FUL)

6.1.4 Comment

The proposed layout represents poor design because no lounge is shown on the proposed layout.

Response

The proposal is compliant with the Council's 'additional' licensing standards by providing a kitchen/dining area as communal facilities in excess of 15 square metres for seven occupants

**7.0 Planning Consideration Key Issues**

7.1 As set out above, the application does not propose a change of use of the site or an increase in the number of bedrooms contained within the property. The change of use of the property to a large HMO has already been approved by the Council and can still be implemented. Furthermore, were the applicant to change the layout of the property in the future and increase the number of bedrooms, planning permission would be required to vary a condition imposed on the change of use permission which limits the occupancy of the property to seven persons. The application, therefore, falls to be considered solely on the associated impacts of the proposed physical extension in terms of the impact on the character of the area and residential amenity.

## 7.2 Impact on Character of the Area

7.2.1 The proposed extension would not project beyond the side elevation of the main dwelling house and would not subsequently be readily visible from Carlton Road. As such, the proposal would not have a significant impact on the wider street scene. It should be noted that a similar extension has been approved on the neighbouring property at 15 Carlton Road (ref 14/02121/FUL).

7.2.2 The design of the proposed extension is considered to relate well to the appearance of the existing property, given that the height of the roof ridge is well set down in a subservient manner and it does not project beyond the outer flank wall of the existing property. The extension would be built using materials closely matching the existing property.

7.2.3 The area to the side of the property is not a usable amenity area and therefore the proposed extension will not result in the loss of amenity space. The proposal seeks to demolish the existing rear extension to provide a small rear garden and a planning condition will be added to ensure that the small garden area is provided prior to occupation of the development. The site would not appear over-developed when having regard to the higher-density, central location of the site.

## 7.3 Impact on Residential Amenity

7.3.1 The recess of the property at the rear of 9 Carlton Road mirrors the neighbouring property at 11 Carlton Road. The siting of the proposed extension to the south is not considered to adversely affect the light, outlook and privacy of the neighbouring property, given that the modest footprint does not project beyond the outer of flank wall of the existing property.

7.3.2 A condition is recommended to ensure that both the front-facing windows in the extension be obscured to prevent inter-looking between bedrooms in the property. While the proposed extension will have an impact on outlook available to both the ground floor and first floor bedrooms with windows looking towards it, on balance it is considered that this arrangement is acceptable taking into account the orientation of the property minimising the impact on available light and the existing layout and circumstances of the site.

7.3.3 As noted above, the proposal does reduce the external space available to the dwelling. However, since this space is located to the side and is narrow, it has limited value as amenity space and, furthermore, a small rear garden will be provided to serve the dwelling. The proposal is, therefore, considered to be

acceptable in this respect.

## **8.0 Summary**

8.1 In summary, the proposed extension would improve the facilities for the existing occupiers, whilst it would be in keeping with the character and appearance of the local area and would not adversely affect the amenities of the neighbouring occupiers.

## **9.0 Conclusion**

9.1 In conclusion, the proposal is not considered to be contrary to the Council's planning policy and guidance and, therefore, is recommended for conditional 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).

**AG for 02/06/15 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 extension 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 - Glazing panel specification**

The west facing bedroom window in the extension hereby approved shall be glazed in obscure glass to a minimum height of 1.7m above the finished floor level and shall only have a top light opening. The window as specified shall be installed before the development hereby permitted is first occupied and shall be permanently maintained in that form.

#### **REASON:**

To protect the privacy enjoyed by the occupiers of the adjoining property.

04. APPROVAL CONDITION - No other windows or doors other than approved  
[Performance Condition]

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order), no windows, doors or other openings including roof windows or dormer windows other than those expressly authorised by this permission shall be inserted in the north elevation of the development hereby permitted without the prior written consent of the Local Planning Authority.

REASON:

To protect the amenities of the adjoining residential properties.

05. APPROVAL CONDITION - Room restrictions [Performance Condition]

The rooms annotated on plans 6555-138 as the kitchen/dining/lounge area and bathrooms shall remain as communal space for the occupiers of the dwelling throughout occupation of the building and shall at no time be used as bedrooms unless otherwise agreed upon in writing but the Local Planning Authority.

REASON:

For the avoidance of doubt, to maintain sufficient residential environment for occupiers and to ensure that there is no intensification of use of the site.

06. APPROVAL CONDITION - Number of occupiers [Performance Condition]

The number of occupiers within the property, in connection with the change of use hereby permitted, shall not exceed seven persons unless otherwise agreed upon in writing by the Local Planning Authority.

REASON:

In the interests of protecting the residential amenity of local residents from intensification of use and define the consent for avoidance of doubt.

07. APPROVAL CONDITION - Cycle storage [Pre-Occupation Condition]

Prior to the occupation of the property 7 people, details shall be submitted and agreed in writing by the Local Planning Authority for a secure, covered space with cycle stands has been provided for 7 bicycles to be stored for each property. The cycle store hereby approved shall thereafter be retained on site for those purposes.

REASON:

To encourage cycling as an alternative form of transport.

08. APPROVAL CONDITION - Refuse & Recycling [Pre-Occupation Condition]

Prior to the occupation of the property 7 people, details of facilities to be provided for the storage, removal and recycling of refuse from the premises shall be submitted to the Local Planning Authority and approved in writing. Such facilities shall be permanently maintained and retained for that purpose.

REASON:

In the interests of visual amenity, the amenities of future occupiers of the development and the occupiers of nearby properties and in the interests of highway safety.

**09. APPROVAL CONDITION - Approved Plans**

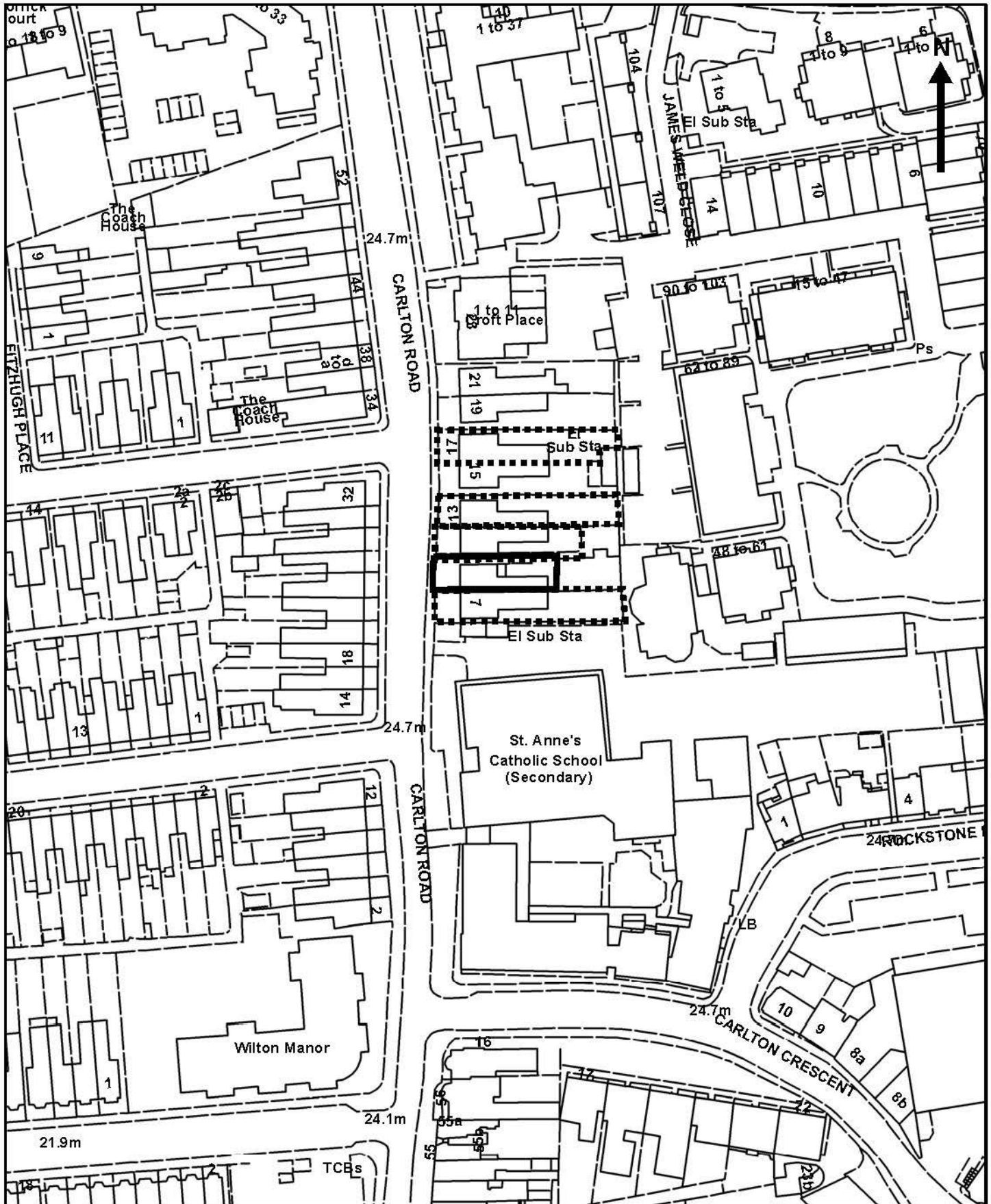
The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

**REASON:**

For the avoidance of doubt and in the interests of proper planning.



# 15/00489/FUL



Scale: 1:1,250

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