

**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> 17 Carlton Road			
<b>Proposed development:</b> Erection of a two storey side extension			
<b>Application number</b>	15/00482/FUL	<b>Application type</b>	FUL
<b>Case officer</b>	Stuart Brooks	<b>Public speaking time</b>	5 minutes
<b>Last date for determination:</b>	18.05.2015	<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>Referred by:</b>	Cllr Jacqui Rayment	<b>Reason:</b>	Concern that increase in intensity of use would be harmful to amenity of neighbouring occupiers

<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. 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, H4 of the City of Southampton Local Plan Review (as amended 2015) and CS13, CS16 of the Local Development Framework Core Strategy Development Plan Document (as amended 2015).

<b>Appendix attached</b>			
1	Development Plan Policies	2	Plans for previous applications

## **Recommendation in Full**

### **Conditionally approve**

#### **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 six persons). Number 9 benefits from planning permission for use as a larger, Sui Generis HMO (limited to seven persons) and is essentially seeking to amend the scheme as approved to incorporate the two-storey side extension. Number 17 (this application) 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 This application site is located within the ward of Bevois. It is a predominantly a residential area, characterised by mainly two-storey dwellings.
- 2.2 The site itself consists of a two-storey semi-detached dwelling which is currently occupied as a C4 House in Multiple Occupation (HMO). The information submitted with a previous planning application for this site, demonstrate that the HMO use of the property is lawful and the Electoral Register and Council Tax records confirm this.

#### **3.0 Proposal**

- 3.1 It is proposed 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 width of 4.4m. It has a separation distance of 1.25m to nearest part of the common boundary of 19 Carlton Road.
- 3.2 It is intended to improve the communal facilities for the existing occupiers. This application itself does not seek to increase the number of bedrooms.

#### **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<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.
- 4.3 Following the Article 4 direction coming into effect on March 23<sup>rd</sup> 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 C4 HMO and was established as a small HMO before 23 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. 14/01427/FUL) to change the use of the property from a small C4 HMO (6 bedrooms) to a large HMO (seven bedrooms) (see **Appendix 2** for plans and decision notice). This permission has not been implemented.
- 5.2 On 30 June 2014, the Council also granted a proposed lawful development certificate for roof alterations to nos. 11, 13, 15 and 17 Carlton Road (reference 14/00669/PLDC). The development granted, but not implemented, would provide an additional two bedrooms in the roof space of each property. The plans for this

certificate are included in **Appendices 2, 3 and 4** of this report. It is important to note that, if a roof extension were to be constructed under permitted development, a condition imposed upon the change of use planning permission would prevent the overall occupancy from exceeding seven persons.

- 5.2 There is a current minor material amendment application (ref no. 15/00398/MMA) also under consideration, to remove condition 3 (Permitted Development Restriction) from application 14/01427/FUL mentioned above.

## **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 7 representations have been received from surrounding residents, including a local residents group. A local Ward Councillor has called in the application. 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 seven bedrooms under the extant permission following the extension being built. 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.

## **Consultation Responses**

- 6.2 **SCC Private Housing** - No objection

## **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.

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 Whilst the extension would reduce the external space associated with the property, the main area of rear garden would be retained, meaning 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 17 Carlton Road mirrors the neighbouring property at 19 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, sufficient garden would remain to serve the dwelling. The proposal is, therefore, considered to be acceptable in this respect.

## 8.0 Summary

7.1 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.

## 8.1 Conclusion

8.1 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).

**SB 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 - 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.

04. APPROVAL CONDITION - Room restrictions [Performance Condition]

The rooms annotated on plans 6555-136 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.

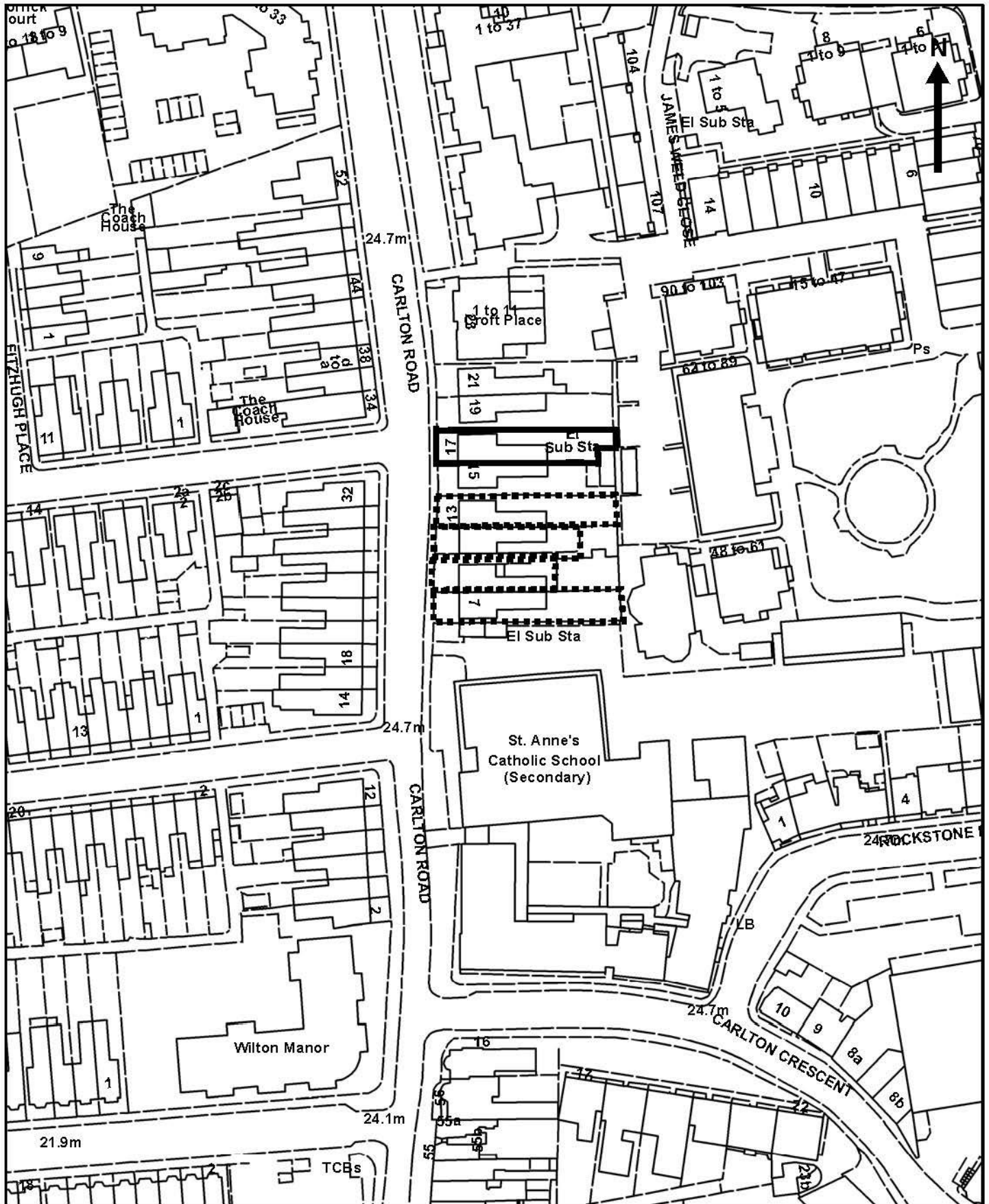
05. APPROVAL CONDITION - Approved Plans

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.

# 15/00482/FUL



Scale: 1:1,250

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