



DETERMINATION OF APPLICATION
TOWN AND COUNTRY PLANNING ACT 1990
Town and Country Planning
(Development Management Procedure) (England) Order 2010

Simpson Hilder Associates
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Lyndhurst
SO43 7BE

In pursuance of its powers under the above Act and Regulations, Southampton City Council, as the Local Planning Authority, hereby gives notice that the application described below has been determined. The decision is:

FULL APPLICATION - CONDITIONAL APPROVAL

Proposal: Change of use from existing Class C4 HMO, 1-bedroom flat and treatment room to a 7-bedroom HMO.

Site Address: 9 Carlton Road Southampton SO15 2HN

Application No: 14/01687/FUL

Subject to the following conditions.

01.APPROVAL CONDITION - Full Permission Timing Condition - Change of use

The use 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 - 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.

03.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.

04. 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.

05. APPROVAL CONDITION - Room restrictions [Performance Condition]

The rooms annotated on plans 6555-108 as the kitchen/dining 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:

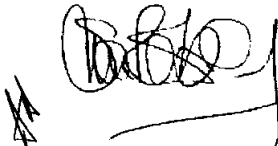
For the avoidance of doubt, to maintain sufficient residential environment for occupiers and to ensure that there is no intensification of use of the site.

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 7 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.



Simon Rowberry
Planning & Development Manager

19 December 2014

If you have any further enquiries please contact:
Joanne Hall

Reason for granting Planning 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 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).

IMPORTANT NOTE TO APPLICANT

This decision has been made in accordance with the submitted application details and supporting documents and the development should be implemented in respect of the following plans and drawings.

Drawing No:	Version:	Description:	Date Received:	Status:
6555-108		Proposed Plans	13.10.2014	

NOTES

1. This permission relates to Planning Control only. Approval under the Building Regulations may also be required and should you be in any doubt about this, please contact Building Control Services, Tel. 023 8083 2558. Any other necessary consent must be obtained from the appropriate authority. Special attention is drawn to the fact that this permission does not relate to the display of advertisements and separate consent is required under the Town and Country Planning (Control of Advertisements) England Regulations 2007. Development affecting buildings of special Architectural or Historical interest is also subject of separate Listed Building Consent. Any queries should be made to Development Control Service as indicated below.
2. This permission has been granted on the basis of all the information submitted by the applicant shown on the plans accompanying the application. Any material misstatement or wrong information may invalidate the permission.
3. If the applicant is aggrieved by the decision of the Local Planning Authority to approve the proposed development, subject to conditions, they may appeal to the Secretary of State in accordance with Section 78 of the Town and Country Planning Act 1990, within six months of the date of decision. Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 5000) or online at www.planningportal.gov.uk/pcs.
4. The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
5. If permission to develop land is granted subject to conditions, whether by the Local Authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonable beneficial use by the carrying out of any development which has been or would be permitted, they may serve on the Council a purchase notice requiring the Council to purchase their interest in the land in accordance with the provisions of Part IV of the Town and Country Planning Act 1990.
6. In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.
7. Attention is drawn to the provisions of Section 12 of the Hampshire Act 1983 relating to access for the Fire Brigade, and you are advised to contact Building Control Services as set out in Note 1.
8. For those developments which are covered by the Disability Discrimination Act, the attention of developers is drawn to the relevant provisions of the Act and to the British Standard B300:2001 Design of buildings and their approaches to meet the needs of disabled people code of practice.
9. The applicant is recommended to retain this form with the title deeds of the property.
10. 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)
Please address any correspondence in connection with this form quoting the application number to: **Development Control Service, Southampton City Council, Civic Centre SOUTHAMPTON. SO14 7LS**

Southampton City Council - Planning Development Control Delegated Report

Case Ref: 14/01687/FUL	Case Officer: Joanne Hall
Registered Date: 13/10/2014	Application Type: FUL
Consultation Expiry Date:	Application Expires: 22/12/2014

1. Application Address:
9 Carlton Road

2. Proposal Description:
Change Of Use From Existing Class C4 Hmo, 1-Bedroom Flat And Treatment Room
To A 7-Bedroom Hmo.

3. Site & Surrounds:

Site visit date:05/12/2014	Photographs Taken:Y	Consults Checked on site:Y
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The application consists of a semi detached building close to the city centre and local shopping area. the site is currently within a mixed use of residential properties and a treatment centre.

4. Development Plan Policies/guidance of relevance:

Having regard to paragraph 215 of the National Planning Policy Framework dated 27 March 2012 the following policies and saved policies which have been adopted since 2004 retain their full material weight for decision making purposes, where in accord with the NPPF. In other cases, a presumption in favour of sustainable development exists. The Council has reviewed the Core Strategy and saved Local Plan to ensure that it is in compliance with the NPPF and are satisfied that all the policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes. There are two exceptions where these plans are not fully in accordance with the NPPF. These are only relevant to any proposals for gypsy sites, or for community identified local green spaces. See <http://www.southampton.gov.uk/policies/NPPF-compliance-with-local-plan-statement-revised-June2013.pdf> for details. (This note is dated August 2012. Since then the Council has now identified a 5 year housing land supply. It is also incorporating the 'presumption in favour of sustainable development' into the Core Strategy Partial Review).

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| City of Southampton Local Plan Review (2 March 2006) | Other Policy - SPG etc. to note: |
| SDP1 (Quality of Development) | Residential Design Guide (18 Sep 2006) |
| H4 (Houses in Multiple Occupation) | NPPF 2012 |
| Local Development Framework Core Strategy Development Plan Document (January 2010) | |
| CS16 (Housing Mix and Type) | |

If this report is being read as part of an eventual householder appeal, the Inspector's attention is drawn to Appendix 'M' of the adopted residential design guide. This details the 2 year programme of public participation that took place prior to being adopted. This includes stakeholder design workshops, where completed residential developments were reviewed and extant guidance of the new residential standards

development control brief (1989) evaluated. Part of this evaluation included a review of some 200 relevant appeal decisions between 1989-2004. As such, the Local Planning Authority affords significant weight to the Council's Supplementary Planning Guidance.

5. Relevant Site History and Land Uses:

05/01485/FUL - Change of use from dance studio at the front to Osteopathic treatment room and waiting room and rear dance studio to office store and small dance studio -

6. Consultation Response Summary:

No comments received

7. Notification Representations:

Number received: 2

Summary of Comments: concerns relating to the nature of the change of use to a large HMO including the need for a diverse range of different residents within an area. Matters relating to increase noise, disturbance and traffic. Other matters were listed but are not directly relevant to this application such as trees or building too close to the boundary.

Response: The property is already used as an HMO so there would not be an increase in the number of HMOs on this case. However, there would be an increase in density in HMO terms but a loss of the occupancy of the 1 bed flat. This is further addressed below. There is also unlikely to be a significant increase in noise, disturbance or traffic from consolidating the 3 uses into one. It is likely that there will be less visitors to one dwelling than 3 separate units.

8. Planning Considerations:

The application seeks to change the use of the existing property from a flat, small treatment centre and a small C4 HMO into one 7-bed Sui Generis HMO. The applicants have demonstrated that the property was used as an HMO on 23rd March 2012 and therefore no new HMO is being created negating the need for assessment of the HMO threshold in the area. However, there would be an increase in density in HMO terms mitigated by the loss of residential occupancy in C3 use. The overall density of the site is unlikely to have any significant difference as a result of this application.

Site history shows that the property was previously used as an office and dance studio. However, the applicants submitted information and the council's own records show that the property has been used as residential from at least 2009 and therefore is immune to enforcement action under the 4 year rule.

CS7 looks to protect employment sites. However, this site is unlikely to employ more than 1 or 2 people and is within a mixed used building of predominantly residential occupation and therefore do not judged the loss of the treatment centre to be in conflict with the aims of the policy.


Whilst the property would not provide amenity space for the occupants, the site is in close proximity to Southampton Common and City Centre parks. The general context and character of the area is mid/high density in a central location where garden spaces are characteristically smaller than in other places within the city. It differs from more family orientated areas with larger amenity spaces. Given that the

site currently has two residential units that do not have garden space and the proposal would result in one, it is not judged that the lack of amenity space would warrant refusal on character or amenity grounds.

The proposal creates a better living environment for residents as it provides a single unit of accommodation within the site, accessed via a single entrance point increasing privacy and reducing noise disturbance.

9. S106 Heads of Term to include (if relevant):

NA

<p>10. Recommendation: Planning Application Case Officer: Joanne Hall Signature:</p> <p>Authorised Officer for sign off: Report checked and cleared by Team Leader. Whilst there are some issues regarding amenity space standards, the reduction in number of individual units on the site and the few people in total occupation combined with the central location justifies the recommendation in this instance.</p> <p>Signature: Andy Amery </p>	<p>Conditionally Approve Date of Report: 19/12/2014</p> <p>Date report submitted: Date Report Considered: 19.12.2014 Date DN to Business Support:</p>
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Exception Report (only required if recommendation is made after expiry of 8 week date):



FRONT ELEVATION

SCALE @ 1:100

SIDE ELEVATION

SCALE @ 1:100

REAR ELEVATION

SCALE @ 1:100



PROPOSED - FIRST FLOOR PLAN

SCALE @ 1:50



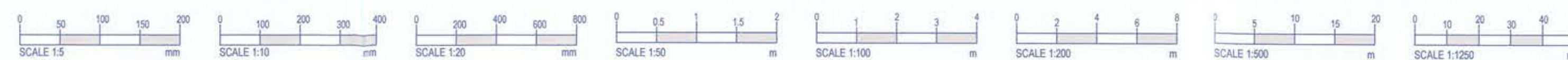
BLOCK PLAN

SCALE @ 1:500



PROPOSED - GROUND FLOOR PLAN

SCALE @ 1:50



13 OCT 2014

REV.	DATE	DESCRIPTION	DR.	CHK.

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**PROPOSED FLOOR PLANS
 AND ELEVATIONS
 LOCATION PLAN**

DRAWING STATUS: **PLANNING**

**9 CARLTON ROAD
 SOUTHAMPTON
 HAMPSHIRE
 SO15 2HN**

DATE: AUG 2014	DRAWN BY: LAJ	CHECKED BY: GJB	DATE CHECKED: AUG 2014
SCALE @ 1: 1:50 & 1:100	DRAWING NO: 6555	REVISION: 108	



FRONT ELEVATION

SCALE @ 1:100

SIDE ELEVATION

SCALE @ 1:100

REAR ELEVATION

SCALE @ 1:100



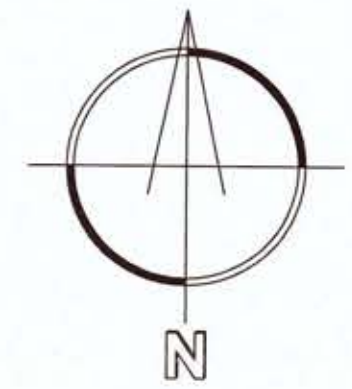
EXISTING - FIRST FLOOR PLAN

SCALE @ 1:50

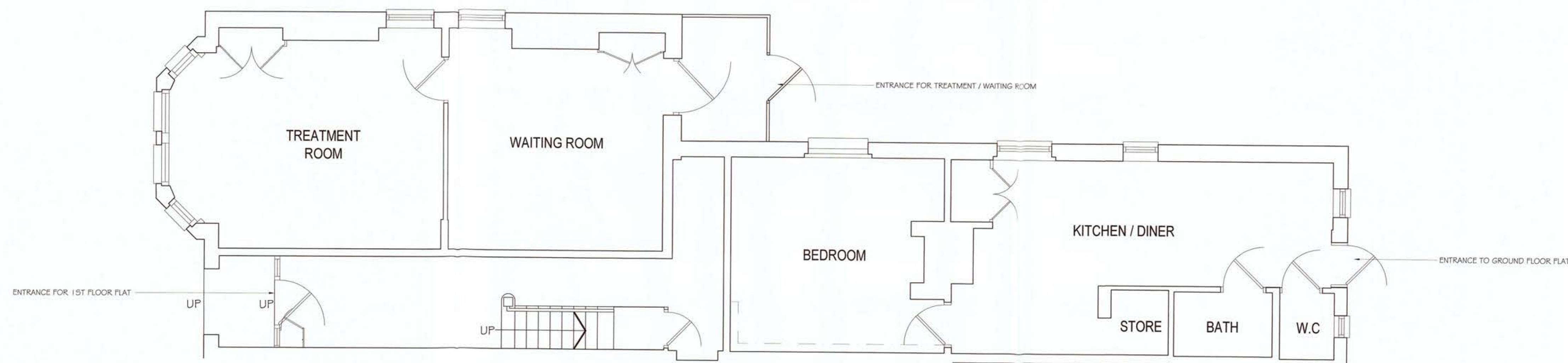


LOCATION PLAN

SCALE @ 1:1250

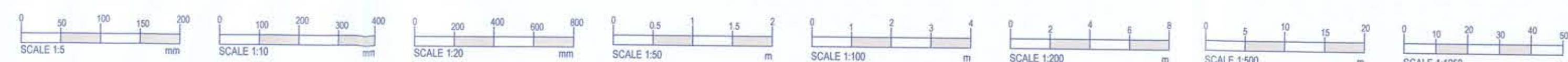


13 OCT 2014



EXISTING - GROUND FLOOR PLAN

SCALE @ 1:50



REV.	DATE	DESCRIPTION	DR.	CHK.

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EXISTING FLOOR PLANS AND ELEVATIONS LOCATION PLAN

DRAWING STATUS: **PLANNING**

9 CARLTON ROAD SOUTHAMPTON HAMPSHIRE SO15 2HN

DATE: AUG 2014	DRAWN BY: LAJ
SCALE @ A1: 1:50 # 1:100	CHECKED: GJB
DATE CHECKED: AUG 2014	REVISION:
JOB NO: 6555	107