

**Planning, Transport & Sustainability Division  
 Planning and Rights of Way Panel (WEST) 6 October 2015  
 Planning Application Report of the Planning and Development Manager**

|   |                              |                             |   |
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| <b>Application address:</b><br>21 Spring Crescent   |                              |                             |   |
| <b>Proposed development:</b><br>Conversion of dwelling to 1 x 3-bedroom flat & 1 x 2- bedroom flat with first floor rear extension and associated amenity, cycle and bin storage areas. |                              |                             |   |
| <b>Application number</b>   | 15/01259/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>   | 12.10.2015                   | <b>Ward</b>                 | Portswood                                   |
| <b>Reason for Panel Referral:</b>   | Request by Ward Member       | <b>Ward Councillors</b>     | Cllr O'Neill<br>Cllr Claisse<br>Cllr Norris |
| <b>Referred by:</b>   | Cllr O'Neill<br>Cllr Claisse | <b>Reason:</b>              | Parking, Character                          |

|                                  |                                 |
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| <b>Applicant:</b> Mr A Phangurha | <b>Agent:</b> Mr Balbinder Heer |
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| <b>Recommendation Summary</b> | <b>Conditionally approve</b> |
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| <b>Community Infrastructure Levy Liable</b> | <b>Yes</b> |
|---|------------|

**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 the development plan as required by 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, SDP5, SDP7, SDP9, SDP10, SDP12, H1, H7 of the City of Southampton Local Plan Review (as amended 2015) and CS4, CS5, CS13, CS16, CS18, CS19, CS20, CS22 of the Local Development Framework Core Strategy Development Plan Document (as amended 2015).

|                          |                           |
|--------------------------|---------------------------|
| <b>Appendix attached</b> |                           |
| 1                        | Development Plan Policies |

**Recommendation in Full**

**Conditionally approve**

## **1. The site and its context**

- 1.1 This application site is located within the ward of Portswood. Spring Crescent is mainly a residential street characterised by mainly 2 storey residential properties, with properties set back from the street frontage. There are parking restrictions on the north side of Spring Crescent which does not allow waiting at any time.
- 1.2 The property is a 2 storey semi-detached dwelling with a split level lower ground floor. The property is currently vacant and was formerly lived in by the applicant and their family as a 6 bedroom dwelling. The lower ground floor currently has direct access to the rear garden. This is a large terraced garden terraced with two sections.

## **2. Proposal**

- 2.1 It is proposed to separate the building into 2 flats (1x3 bed and 1x2 bed) with minimal physical changes to the property. The only physical alterations being a thin flat roofed first floor rear extension to house an internal staircase (eaves: 3.2m, depth: 3.7m, width: 1.4m).
- 2.2 The 3 bed flat will be contained over 2 floors (the ground and lower ground floor) and will have direct access to its own private garden area (100sqm), re-providing a family dwelling on site. The 2 bed flat will occupy the upper floor with the erection of an internal staircase to allow access to the rear area of the garden (100sqm).

## **3. Relevant Planning Policy**

- 3.1 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**.
- 3.2 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.
- 3.3 Policy CS4 acknowledges that new homes will generally need to be built at higher densities. New dwellings coming forward on suitable windfall sites will contribute towards delivering the Council’s strategic target for housing supply.
- 3.4 Policy CS5 (Housing Density) of the Core Strategy acknowledges that whilst there is continuing pressure for higher densities in order to deliver development in Southampton, making efficient and effective use of land, however, the development should be an appropriate density for its context, and protect and enhance the character of existing neighbourhoods.

- 3.5 Policy CS16 of the Core Strategy requires the retention of a suitable 3 bedroom family unit with access to its own private and usable amenity space of a minimum size of 20 sqm. This policy also encourages a sustainable mix and balance of households within the local community to be maintained.
- 3.6 Policy CS19 of the Core Strategy (Car and Cycle Parking) of the Core Strategy sets out the Council's approach to car and cycle parking standards for new developments in the city, as supported by the guidance and standards set out in section 4.2 of the Parking Standards Supplementary Planning Document (formally adopted September 2012).
- 3.7 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. Relevant Planning History**

- 4.1 A planning application was refused (12/01585/FUL) and dismissed at appeal for the conversion of the property into a 7 bed HMO. The application was refused and the appeal dismissed since the proposal breached the Council's threshold approach.

#### **5. 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 (23.06.2015). At the time of writing the report 2 representations have been received from surrounding residents. There have been 2 panel referral requests received from local Ward Cllrs. The following is a summary of the points raised:

##### 5.2 Comment

The property will have insufficient parking for the increased number of residents leading to pressure on on-street parking.

##### Response

The existing property was formerly occupied as a 6 bedroom family dwelling so the occupation will be effectively 1 less person by reducing the bed spaces to a total of 5 (1x3 bed and 1x2 bed). The Highway Officer has commented that the car ownership levels are unlikely to be significantly different. A parking survey would provide a clearer picture of parking demand in Spring Crescent, however, it is not evident that the car ownership levels will be significantly different as a result of the conversion and a survey is not, therefore, considered necessary in this instance.

##### 5.3 Comment

The intensification of use will further increase the number of tenants without converting the property into a HMO. The recent increase in HMOs has led to an imbalance of the local community and negative social and environmental problems.

## Response

The property can be currently occupied as a 7 bedroom family house (and formerly occupied as a 6 bedroom dwelling) so the conversion would not result in further intensification of the site. The units would only be permitted as class C3 dwellings and occupied as single households living in two self-contained units and, therefore, would require permission in their own right to be converted to HMO use (3 or more unrelated persons).

## **Consultation Responses**

5.4 **SCC Highways** - No objection.

5.5 **Southern Water** – No objection

## **6. Planning Consideration Key Issues**

6.1 The key issues for consideration in the determination of this planning application are:

- Principle of Development;
- Character and Amenity and;
- Highways and Parking.

### 6.2 Principle of Development

6.2.1 There is no policy presumption against intensifying the use of the existing property and the Council's adopted policies encourage making efficient use of previously developed sites, such as this, to provide further residential accommodation. The applicant has previously sought permission for an alternative residential use to convert the large property into a HMO, however, this was not supported by the Council and the decision upheld by the Planning Inspectorate. The applicant is now seeking more efficient use of an existing property by retaining the occupation of the units as single households. The proposed conversion would comply with the requirements of policy CS16 by retaining a suitable 3 bedroom family dwelling. The development is therefore considered to be acceptable in principle.

### 6.3 Character and Amenity

6.3.1 The conversion will require minimal physical changes to the existing building which includes a narrow first floor rear extension (containing internal staircase serving the upper floor flat). The scale and massing of the extension is not considered to adversely affect the visual character of the local area, nor the amenities of the neighbouring occupiers since it would be sufficiently set back from the boundaries of the neighbouring properties.

6.3.2 It is considered that the internal layout of the building suitably lends itself to this subdivision. The conversion would retain a unit capable of being a suitable family home contributing towards the city's housing need together with providing an additional unit of accommodation. The rear garden would provide a rear garden that would comfortably exceed the Council's amenity space standards for flats. Furthermore, there is sufficient space to accommodate the requisite cycle and refuse storage.

6.3.3 The proposal would increase the number of units by 1, however, this would not significantly change the overall occupation level of the property given it was formerly occupied as a 6 bedroom family dwelling. Both units would be occupied as single households and, therefore, whilst this would add to the number of households in Spring Crescent this is not seen as significantly changing the character of the local area in terms of the mix and balance of households. This would therefore contribute to the objectives of policy CS16 by strengthening the mix and balance of households in the local community as the 2 bed unit would provide a smaller accommodation which would be more affordable to families on lower incomes or first time buyers.

#### 6.4 Highways and Parking

6.4.1 The application site lies within an area of Medium Accessibility to Public Transport (Public Transport Accessibility Band 3), although approximately 230m from a high accessibility area for public transport as set out in the Council's Parking SPD (see map on page 16). The adopted Parking Standards permit a maximum of 4 parking spaces for this development. There is existing hardstanding on the frontage used to park up to 2 cars. The occupiers of the development would be within close walking distance to bus routes into the city centre and Portswood District Centre, as well as close and convenient walking distance to a range of services and shops in the District Centre. The Highway Officer is satisfied that the proposed development is in keeping with the nature of this area and does not create any additional parking as a result which results in minimal impact in terms of traffic and trip generation.

6.4.2 The applicant has not provided a parking survey for this application however, it is not evident that the car ownership levels will be significantly different as a result of the conversion given the similar level of occupation between the existing and proposed properties. Furthermore, evening site visits to the area have revealed some on-street car parking capacity and, as such, there is not sufficient cause to resist the application on this basis.

#### 6.5 Other matters

6.5.1 The Conservation of Habitats and Species Regulations 2010 (as amended) provides statutory protection for designated sites, known collectively as Natura 2000, including Special Areas of Conservation (SAC) and Special Protection Areas (SPA). This legislation requires competent authorities, in this case the Local Planning Authority, to ensure that plans or projects, either on their own or in combination with other plans or projects, do not result in adverse effects on these designated sites. The Solent coastline supports a number of Natura 2000 sites including the Solent and Southampton Water SPA, designated principally for birds, and the Solent Maritime SAC, designated principally for habitats. Research undertaken across south Hampshire has indicated that current levels of recreational activity are having significant adverse effects on certain bird species for which the sites are designated. A mitigation scheme, known as the Solent Disturbance Mitigation Project (SDMP), requiring a financial contribution of £172 per unit has been adopted. The money collected from this project will be used to fund measures designed to reduce the impacts of recreational activity. This application has complied with the requirements of the SDMP and meets the requirements of the Conservation of Habitats and Species Regulations 2010 (as

amended).

## **7. Summary**

7.1 In summary, the proposed conversion would provide 2 smaller affordable units of accommodation whilst retaining a family dwelling. The overall level of occupation would not significantly differ between the proposed and existing properties. The nature of the proposal is therefore not considered to have an adversely affect the local area in terms of character and amenity, and highway safety.

## **8.0 Conclusion**

8.1 In conclusion, the proposal is judged to have an acceptable impact in accordance with the Council's 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), (b), (c), (d), 2 (b), (d) 6 (c), 7 (a), 9 (a) and (b)

### **SB for 06/10/15 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 [Performance Condition]**

The materials and finishes to be used in the construction of the building works hereby permitted shall be in accordance with the application form and approved plans.

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 [Pre-Occupation Condition]**

Prior to the first occupation of the use hereby approved, the details of facilities for the storage, removal and recycling of refuse from the flats with a level approach shall be provided in accordance with the approved plans and, thereafter, 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.

**04. APPROVAL CONDITION - Refuse storage and collection [Performance Condition]**

Unless otherwise agreed by the Local Planning Authority, except for collection days only, no refuse shall be stored to the front of the building.

Reason:

In the interest of visual amenity and for the safety and convenience of the users of the adjacent footway.

**05. APPROVAL CONDITION - Cycle storage [Pre-Occupation Condition]**

The development to which this consent relates shall not be brought into use in full or in part until secure, covered space with one Sheffield steel style cycle stand to store 2 cycles has been provided in accordance with the approved plans. The materials used in the construction of the cycle store shall match as closely as possible to the existing building. The cycle store hereby approved shall thereafter be retained on site for those purposes.

Reason:

To encourage cycling as an alternative form of transport.

**06. APPROVAL CONDITION - Amenity Space Access [Pre-Occupation Condition]**

The external amenity space serving the flats hereby approved, and pedestrian access to it, shall be made available prior to the first occupation of the development hereby permitted and shall be retained with access to it at all times.

Reason:

To ensure the provision of adequate amenity space in association with the approved flats.

**07. APPROVAL CONDITION - Parking [Performance Condition]**

The hardstanding to the front of the building shall be retained for parking for the duration of the development hereby approved.

Reason:

To prevent obstruction to traffic in neighbouring roads and in the interests of highway safety.

**08. APPROVAL CONDITION - Window specification limitations [Performance Condition]**

Unless the Local Planning Authority agree otherwise in writing and notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015, or any Order revoking or re-enacting that Order, in relation to the development hereby permitted, the window within the east elevation of the extension, first floor window serving the lounge area (east elevation) shall be top-opening and fitted with obscure glass. The windows shall be retained in this manner for the duration of use of the building for residential occupation.

Reason:

To protect the amenity and privacy of the adjoining property.

**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.



**POLICY CONTEXT**

Core Strategy Partial Review - (March 2015)

|      |                        |
|------|------------------------|
| CS4  | Housing Delivery       |
| CS5  | Housing Density        |
| CS13 | Fundamentals of Design |
| CS19 | Car and Cycle parking  |
| CS20 | Sustainability         |
| CS22 | Biodiversity           |

City of Southampton Local Plan Review – (March 2015)

|       |                             |
|-------|-----------------------------|
| SDP1  | Quality of Development      |
| SDP5  | Parking                     |
| SDP7  | Context                     |
| SDP9  | Scale, Massing & Appearance |
| SDP10 | Safety and Security         |
| SDP12 | Landscaping                 |
| H1    | Housing supply              |
| H2    | Previously developed land   |
| H7    | Residential environment     |

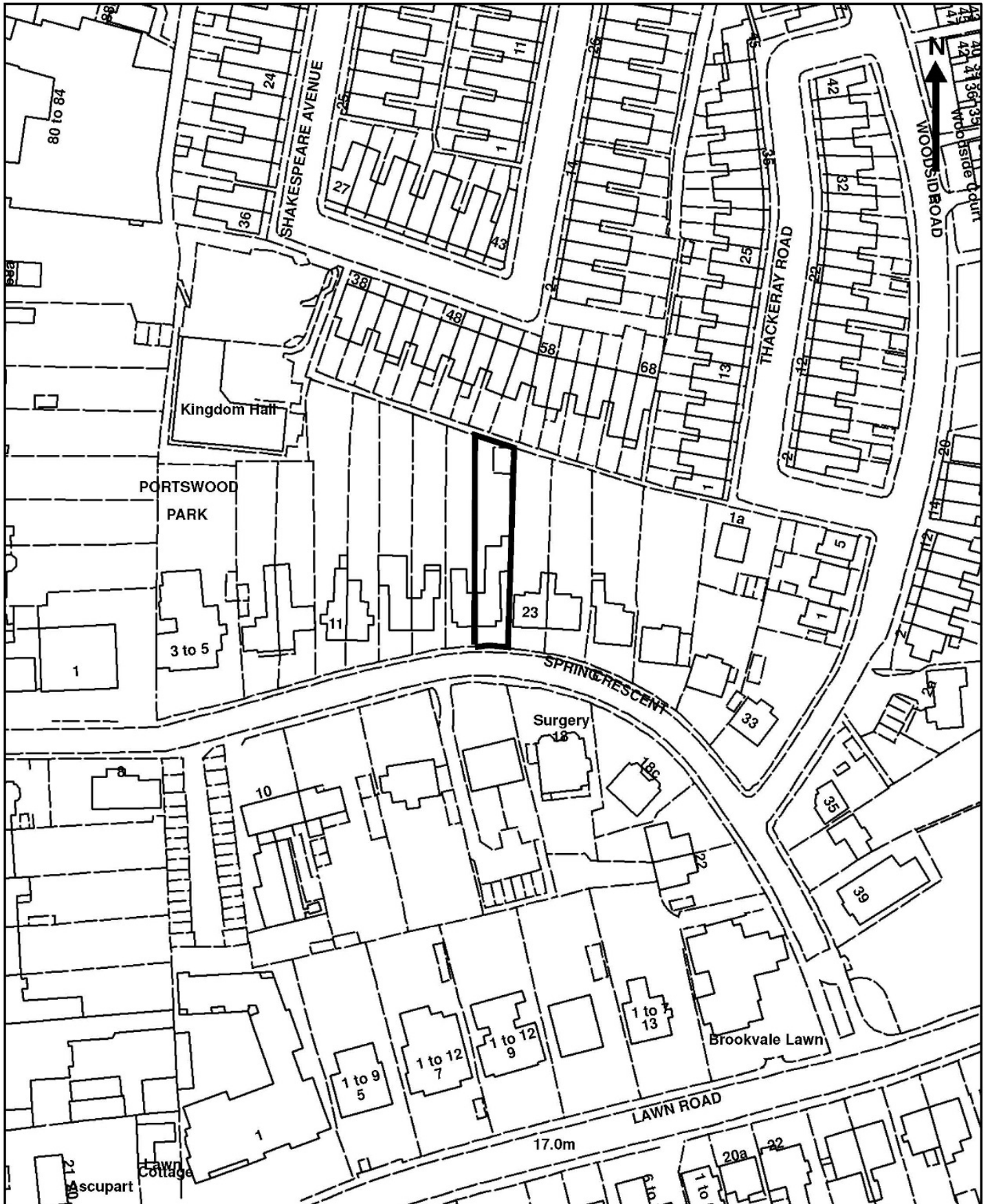
Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)  
Parking Standards SPD (September 2011)

Other Relevant Guidance

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

# 15/01259/FUL



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