

**Planning, Transport & Sustainability Division**  
**Planning and Rights of Way Panel - 7 June 2016**  
**Planning Application Report of the Planning and Development Manager**

<b>Application address:</b> 2 Kingsfold Avenue, Southampton, SO18 2PZ.			
<b>Proposed development:</b> Conversion of single dwellinghouse to 2 dwellinghouses (1 x 2-bed and 1 x 3-bed) with additional door and external staircase to front elevation.			
<b>Application number</b>	15/02168/FUL	<b>Application type</b>	FUL
<b>Case officer</b>	Laura Grimason	<b>Public speaking time</b>	5 minutes
<b>Last date for determination:</b>	28/03/2016	<b>Ward</b>	Bitterne Park
<b>Reason for Panel Referral:</b>	Five letters of objection have been received	<b>Ward Councillors</b>	Cllr White Cllr Fuller Cllr Inglis

<b>Applicant:</b> Michael Blackwood	<b>Agent:</b> N/A
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<b>Recommendation Summary</b>	<b>Delegate to Planning and Development Manager to grant planning permission subject to criteria listed in report</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 as set out in the report to the Planning and Rights of Way Panel on the 7th June 2016 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, SDP4, SDP5, SDP7, SDP8, SDP9, SDP10, H1, H2, and H7 of the City of Southampton Local Plan Review (Amended 2015) and CS4, CS5, CS13, CS16, CS19 and CS20 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015).

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

## **Recommendation in Full**

Delegate to the Planning and Development Manager to grant planning permission subject to;

(a) Securing a contribution to the Solent Disturbance Mitigation Project. In the event that the payment is not received within a reasonable timescale, the scheme may be refused for failing to mitigate against its direct impacts.

(b) The submission of an amended plan showing a rooflight serving the bedroom at roof level within the 3 bedroom unit. In the event that this is not received within a reasonable timescale, the scheme may be refused.

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

1.1 The application site is a two storey, semi-detached dwellinghouse located on the corner of Kingsfold Avenue and Spinney Walk. There is an existing two storey side extension adjacent to Kingsfold Avenue and the property has a total of 5 bedrooms. The site benefits from 3 off road parking spaces in the form of a front driveway accessed from Kingsfold Avenue; and a large garage with associated driveway to the rear. At present, there is dense vegetation along both the front and side boundaries of the site, including large trees. These are not however, subject to a Tree Preservation Order (TPO). The existing dwellinghouse benefits from a generous side / rear garden of approximately 251 sq m due to its spacious corner location.

### **2.0 Proposal**

2.1 Permission is sought for the conversion of the property to two dwellings (1 x 2 bed and 1 x 3 bed). Both proposed units would be split over ground, first and roof level. The proposed 2 bedroom unit would comprise a large kitchen / lounge at ground floor level, a bedroom and bathroom at first floor level and a bedroom at roof level. This unit would have access to its own private amenity area of approximately 116 sq m. Cycle and bin storage would be provided within this rear amenity area and a private driveway would be provided to the front, accessed via Kingsfold Avenue. The proposed 3 bedroom unit would comprise a kitchen and lounge at ground floor level, 2 bedrooms and a bathroom at first floor level and a bedroom at roof level. This unit would have access to a private amenity area of approximately 135 sq m and a private driveway to the front, accessed via Spinney Walk. Bin storage would be provided within this driveway.

2.2 External alterations would be limited to the construction of an external staircase and new door to the front elevation to provide access to the proposed 2 bedroom dwelling. It is acknowledged that a number of windows which are different to those shown on the approved plans for the previously approved two storey extension (ref.04/00329/FUL) have been installed. These are as follows:

- (a) Smaller ground and first floor windows within the front elevation.
- (b) A first floor window and two ground floor windows within the side elevation.
- (c) A door at ground floor level within the rear elevation.
- (d) The window at first floor level within the rear elevation is in a different location to what was approved.
- (e) An extra window within the side elevation at second floor level.

These windows are immune from enforcement action given how long they have been in situ.

### **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 (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 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 In 2004, conditional approval (ref.04/00329/FUL) was granted for the construction of a two storey side extension.

### **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 (04/02/2016). At the time of writing the report **5** representations have been received from surrounding residents. The following is a summary of the points raised:

5.1.1 The intensification of the residential use will increase parking demand in the surrounding area to the detriment of local residents and highways safety.

*Response: With the driveways provided, the site could actually provide parking for 4 vehicles. The amount of parking proposed would meet the maximum parking requirements outlined in the Parking Standards SPD. Furthermore, the total number of bedrooms at the property would remain the same as a result of this proposal. It is not therefore, considered that the parking demand associated with the proposed units would be significantly greater than that of the existing property. No objection to this scheme in terms of insufficient parking or highways safety has been raised by the City Council's Highways Team.*

5.1.2 The existing property is an eye sore and the existing extension is dangerous.

*Response: The existing extension has already been approved (application ref.04/00329/FUL). The acceptability of this does not therefore, form a consideration for this application.*

5.1.3 The proposed creation of an additional dwelling would be out of character with the surrounding area which is characterised by semi-detached dwellinghouses.

*Response: Limited external alterations are required to facilitate the creation of an*

*additional unit in this location. The existing two storey extension was approved in 2004 under application ref.04/00329/FUL. The visual impact of this on the character of the area does, therefore, already exist and is not for consideration under this application. The acceptability of the extension in terms of visual amenity has already been accepted. It is acknowledged that properties along both Kingsfold Avenue and Spinney Walk are semi-detached. However, it is considered that there is sufficient room on site to accommodate the proposed additional dwelling in addition to the associated parking and amenity space requirements. As such, this scheme is not considered to be detrimental to the character of the area.*

- 5.1.4 The proposed scheme would constitute an overdevelopment of the site.

*Response: There is sufficient room on this spacious corner plot to comfortably accommodate the proposed additional dwelling. The site is located within an area of low accessibility where density levels between 35 and 50 dph are considered to be acceptable. The creation of a new dwelling on this site would result in a density of approximately 40 dph. The resulting density would be in accordance with the recommended level for this area and this proposal is therefore, considered to be compliant with Core Strategy Policy CS5. It is not therefore, considered that the proposed scheme would result in an overdevelopment of the site (i.e the built form remains the same) or an over-intensive use of the buildings (2 dwellings at 40 dph).*

- 5.1.5 The existing two storey extension does not have planning permission.

*Response: Planning permission was granted for the proposed extension in 2004 under application ref.04/00329/FUL. It is acknowledged that a number of windows which are different to those shown on the approved plans for this scheme have been installed. The alterations to the windows are now considered lawful.*

- 5.1.6 The application description refers to two flats however accommodation is provided over three levels.

*Response: The description of development has been changed to reflect this. Two houses are proposed. The determining issues do however, remain the same.*

## 5.2 Consultation Responses

### 5.2.1 SCC Highways: No objection subject to conditions.

The proposed development is acceptable in principle but there is a concern regarding the parking layout.

The site currently benefits from a formalised access on Kingsfold Avenue and not along Spinney Walk. Vehicles may or may not be gaining vehicular access on Spinney Walk currently, but this would be via the dropped kerbs designed for the pedestrian crossing.

In the interest of highways safety, securing pedestrian crossing facilities and avoid damaging the highway and the tactile paving, the parking area in front of

the existing and proposed units should be made communal with a boundary treatment along the Spinney Walk elevation to restrict vehicular access.

Note: The application is to be recommended Approval subject to the following conditions securing a plan showing a boundary treatment along Spinney Walk and a communal parking layout.

5.2.2 **SCC Environmental Health (Pollution & Safety): No objection** subject to conditions relating to working hours and bonfires on site.

5.2.3 **Southern Water: No objection subject to an informative.**

## 6.0 **Planning Consideration Key Issues**

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

- (a) The principle of development;
- (b) The quality of residential environment for future occupiers;
- (c) Design;
- (d) Effect on residential amenity;
- (e) Highways safety, car and cycle parking and;
- (f) Planning obligations and mitigation.

### 6.2 Principle of Development

6.2.1 Core Strategy Policy CS4 (Housing Delivery) states that: 'An additional 16,000 homes will be provided within the City of Southampton between 2006 and 2026. This proposal would provide an additional home within the city and is, therefore, considered to be compliance with this policy.

6.3.1 Core Strategy Policy CS5 (Housing Density) outlines density levels for new residential development which will be acceptable in different parts of the City. This property is located within an area of low accessibility (Band 2) to Public Transport where density levels between 35 and 50 dph are considered to be acceptable. The site area is approximately 0.0503 ha and the creation of a new dwelling on this site would result in a density of approximately 40 dph. The resulting density would be in accordance with the recommended level for this area and this proposal is therefore, considered to be compliant with Core Strategy Policy CS5.

6.3.2 Core Strategy Policy CS16 advises that: 'The Council will provide a mix of housing types and more sustainable and balanced communities through: (2) no net loss of family homes on sites capable of accommodating a mix of residential units unless there are overriding policy considerations justifying this loss'. This policy continues to advise that family homes are dwellings of three or more bedrooms with direct access to usable amenity space or garden for the sole use of the household. For semi-detached homes, a minimum size of 70 sq m applies for amenity spaces / gardens. The existing property has 5 bedrooms and access to a private amenity area of approximately 165 sq m. It can therefore, be classed as a family home. This proposal would effectively, establish a terrace of dwellings. For terraced dwellinghouses, a minimum amenity space of 50 sq m must be provided. This proposal would retain a 3 bedroom dwellinghouse with a

private amenity area of approximately 251 sq m. It would retain a family home and would therefore, be compliant with Core Strategy Policy CS16.

6.3.3 Having regard to the above policies, it is considered that this proposal is acceptable in principle.

#### 6.4 Quality of the residential environment

6.4.1 Saved policy SDP1 of the City of Southampton Local Plan Review 2010 states that: 'Planning permission will only be granted for development which: (i) does not unacceptably affect the health, safety and amenity of the city and its citizens'.

6.4.2 Saved policy H7 of the City of Southampton Local Plan Review 2010 states that: 'Planning permission will only be granted for residential development provided that the highest standards of quality and design are applied'.

6.4.3 Section 2.2 of the Residential Design Guide SPD expands upon this. Paragraph 2.2.1 states that: 'New housing development, extensions and modifications to existing homes should ensure that access to natural light, outlook and privacy is maintained for existing occupants and their neighbours in their homes and private gardens as well as for the intended occupants of new habitable rooms'. Paragraph 2.2.10 goes on to state that: 'The design, layout and detail of new housing development should also aim to minimise problems such as noise, fumes and vibration from neighbouring roads and sites that can spoil the enjoyment and privacy of housing and garden areas'.

6.4.4 All rooms within the proposed two bedroom unit would benefit from sufficient access to light and outlook as they do now. They would also be sufficiently private. All rooms within the proposed three bedroom unit at ground and first floor level would benefit from sufficient access to light and outlook and would be sufficiently private. The proposed loft bedroom within this unit would have no windows and there is some concern from the Local Planning Authority that this would provide an unacceptable residential environment for occupiers. As such, an amended plan has been requested to secure the installation of a rooflight to serve this room. This plan has not yet been received and as a result, the recommendation is one of delegated authority to grant planning permission upon receipt of this. Provided that this amendment is made, the scheme is considered to provide an acceptable residential environment for occupiers.

6.4.5 Paragraph 4.4.1 of the Residential Design Guide SPD states that: 'All developments should provide an appropriate amount of amenity space for each dwelling to use'. An amenity space of approximately 116 sq m would be provided for the 2 bedroom dwelling whilst approximately 135 sq m would be provided for the 3 bedroom dwelling. Both of these would exceed the 50 sq m requirement outlined in the Residential Design Guide SPD. The proposed amenity areas would be usable and private and would be sufficient to meet the needs of future occupiers.

6.4.6 Having regard to the above, it is considered that an acceptable residential environment would be provided for future occupiers.

## 6.5 Design

- 6.5.1 External alterations are limited to the provision of an external staircase to provide separate access to the proposed 2 bedroom unit. Limited information has been submitted to indicate the materials which would be used to construct this and so a suitably worded planning condition will be imposed to ensure that this is of masonry construction with an appropriate material used for the associated balustrade. This will ensure that the proposed external staircase would have an appearance which would relate appropriately with the wider streetscene.
- 6.5.2 Having regard to the modest alterations which are proposed, this scheme is considered to be acceptable in design terms.

## 6.6 Residential Amenity

- 6.6.1 This property is one half of a semi-detached pair. It is this other property (no.1 Kingsfold Avenue) which would be most affected by this proposal. The existing dwellinghouse has 5 bedrooms and the proposed 2 dwellings would have a total of 5 bedrooms as a result of this proposal. As such, it is not considered that this scheme would result in a level of intensification detrimental to the residential amenities of the occupiers of this neighbouring property by virtue of additional noise and disturbance. Furthermore, no concern has been raised by the Environmental Health Team.
- 6.6.2 As discussed previously in paragraph 2.2, a number of windows within the existing two storey extension are different to those approved under the previous scheme. These windows are not, however, considered to result in any harm to residential amenity in terms of loss of privacy.
- 6.6.3 Having regard to the above considerations, it is considered that the impact of the scheme in terms of residential amenity would be acceptable.

## 6.7 Highways Safety, Car and Cycle Parking and Refuse Storage

- 6.7.1 The Parking Standards SPD outlines maximum car parking standards for residential dwellings within the City. In line with this document, a maximum of 2 parking spaces would be required for each proposed dwelling. A total of 4 car parking spaces would be provided on site, two to the front and two to the rear in the garage and associated space. As such, it is considered that this scheme is compliant with the Parking Standards SPD in terms of the amount of parking provided. A suitably worded planning condition will however, be imposed to ensure that an acceptable parking layout is secured. This is on the request of the Highways Team. This condition will require one unit to have parking to the front and one unit to have parking to the rear. Provided that this condition is satisfied, it is considered that sufficient parking would be provided.
- 6.7.2 No issues relating to highways safety have been raised by the Highways Team.
- 6.7.3 The Parking Standards SPD also outlines minimum cycle parking standards for residential dwellings. In line with this document, a minimum of 1 long stay space per dwelling would be required. The submitted documents indicate that a shed would be provided within each garden to provide cycle storage. No elevational details have been provided and as such, a suitably worded planning condition

will be imposed to secure further details at a later stage.

6.7.4 Paragraph 9.2.2 of the Residential Design Guide advises that for households with less than 6 residents, 2 x 240 litre wheeled bins should be provided. The submitted plans indicate that for the 3 bedroom unit, bins would be stored within the front driveway whilst for the 2 bedroom unit, bins would be stored within the rear garden. At present, bins are stored within the front garden. Further information regarding bin storage will be secured by a suitably worded planning condition.

6.7.5 Having regard to the above, it is considered that an adequate level of parking would be provided. Further details regarding cycle and bin storage will be secured by planning condition.

## 6.8 Planning obligations and mitigation

6.8.1 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 £176 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. No contribution towards the SDMP has been provided and as such, the recommendation is for delegated authority to grant permission once a contribution has been received. Once this has been received this application will be compliant with the requirements of the SDMP and the Conservation of Habitats and Species Regulations 2010 (as amended).

## 7.0 Summary

7.1 The proposed scheme is policy compliant with issues relating to the principle of development, highways safety, transport, design and residential amenity being adequately addressed. A contribution towards the SDMP can be secured under delegated authority.

## 8.0 Conclusion

8.1 It is recommended that planning permission be granted upon receipt of contribution to the SDMP.



**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)/(f); 4(f); and 6(a)/(b).

**LAUGRI for 07/06/16 PROW Panel**

**PLANNING CONDITIONS**

**1. Full Permission Timing Condition (Performance)**

The development hereby permitted shall begin no 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).

**2. 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.

**3. Parking Layout**

No development shall take place until an amended parking layout has been submitted to and approved by the Local Planning Authority. Specifically, this shall indicate the following:

- (a) Two spaces per dwelling will be provided. One unit will benefit from parking to the front of the property only and one unit will benefit from parking to the rear only (garage and associated driveway).
- (b) The proposed layout of and means of access to parking spaces to the front of each unit.
- (c) The proposed boundary treatment along Spinney Walk to prevent vehicular access to the site via Spinney Walk.
- (d) Sightlines for the vehicular access off Kingsfold Avenue. Any physical obstructions within the approved sightlines must not exceed 600mm in height at any time.

The approved layout shall be implemented in full and retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interests of highways safety.

**4. Cycle storage facilities (Pre-Commencement Condition)**

Before the development hereby approved first comes into occupation, secure and covered storage for bicycles shall be provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The storage shall be thereafter retained as approved.

Reason:

To encourage cycling as an alternative form of transport.

## **5. Refuse & Recycling (Pre-Commencement)**

Prior to the commencement of development, details of storage for refuse and recycling, together with the access to it, shall be submitted to and approved in writing by the Local Planning Authority. The storage shall be provided in accordance with the agreed details before the development is first occupied and thereafter retained as approved. Unless otherwise agreed by the Local Planning Authority, except for collection days only, no refuse shall be stored to the front of the development hereby approved.

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.

Note to applicant: In accordance with para 9.2.3 of the Residential Design Guide (September 2006): if this development involves new dwellings, the applicant is liable for the supply of refuse bins, and should contact SCC refuse team at Waste.management@southampton.gov.uk at least 8 weeks prior to occupation of the development to discuss requirements.

## **6. Bonfires (Performance Condition)**

No bonfires are to be allowed on site during the period of demolition, clearance and construction.

Reason:

To protect the amenities of the occupiers of existing nearby properties.

## **7. Hours of work for Demolition / Clearance / Construction (Performance)**

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 to 18:00 hours

Saturdays                    09:00 to 13:00 hours

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.

## **8. Residential - Permitted Development Restriction (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 building or structures within Schedule 2, Part 1, Classes as listed below shall be erected or carried out to any dwelling house hereby permitted without the prior written consent of the Local Planning Authority:

Class A (enlargement of a dwelling house), including a garage or extensions,

Class B (roof alteration),

Class C (other alteration to the roof),

Class E (curtilage structures), including a garage, shed, greenhouse, etc.,

Class F (hard surface area)

Reason:

In order that the Local Planning Authority may exercise further control in this locality given the specific circumstances of the application site and in the interests of the comprehensive development and visual amenities of the area.

**9. Details of building materials to be used (Pre-Commencement Condition)**

No development works shall be carried out until a written schedule of external materials and finishes for the external staircase have been submitted to and approved by the Local Planning Authority. This feature shall comprise masonry construction with details of materials to be used for the associated balustrade also required.

Reason:

To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality.

**POLICY CONTEXT**

Core Strategy - (as amended 2015)

CS4	Housing Delivery
CS5	Housing Density
CS13	Fundamentals of Design
CS16	Housing Mix and Type
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change

City of Southampton Local Plan Review – (as amended 2015)

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP7	Urban Design Context
SDP8	Urban Form and Public Space
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
H1	Housing Supply
H2	Previously Developed Land
H7	The Residential Environment

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)

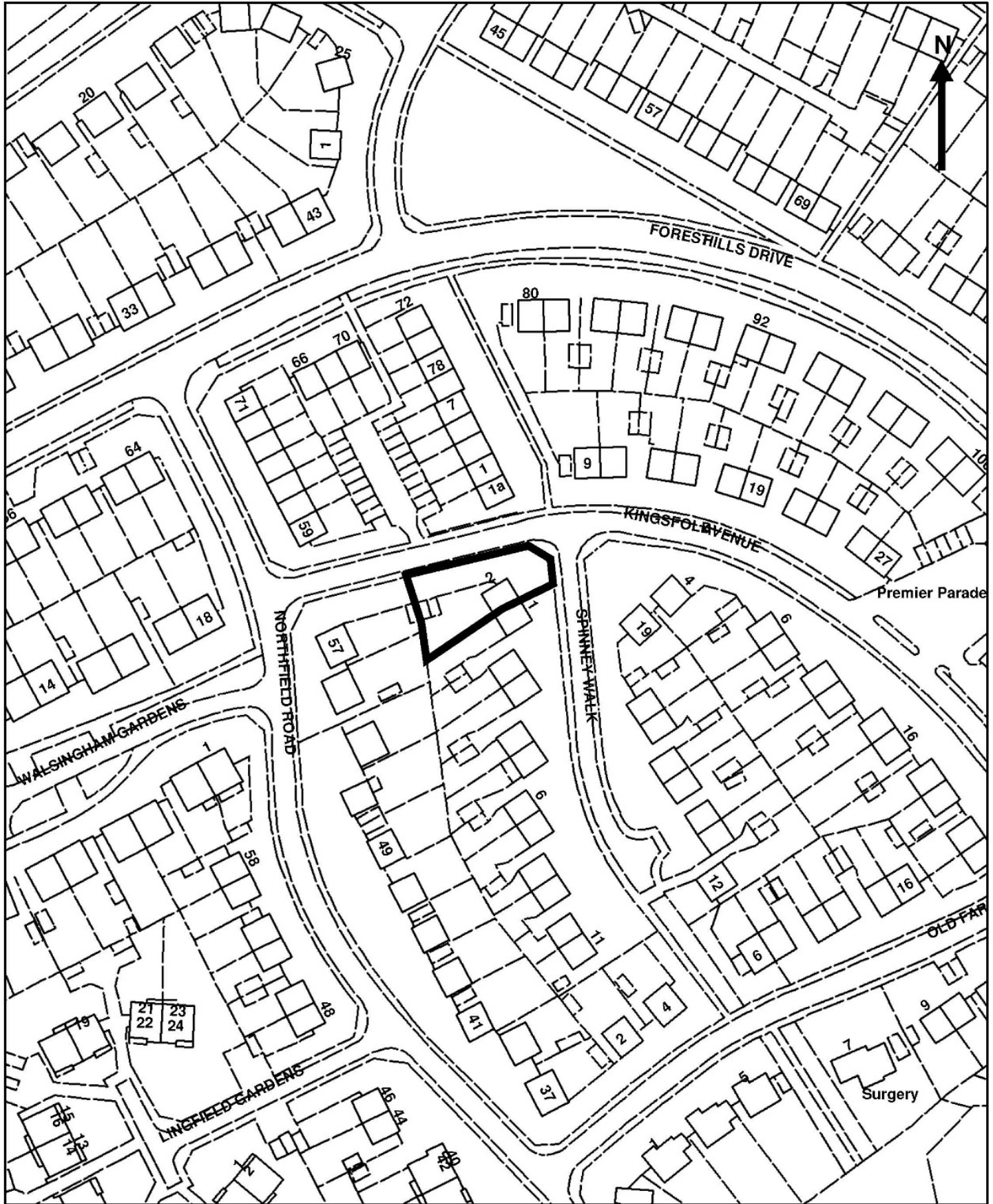
Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework (2012)

The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

# 15/02168/FUL



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