

Planning, Transport & Sustainability Division
Planning and Rights of Way Panel 20 November 2012
Planning Application Report of the Planning and Development Manager

Application address: 7 Greenbank Crescent			
Proposed development: Change of use from C3 dwelling house to 9 bed sui generis house of multiple occupation (HMO) with associated parking			
Application number	12/01435/FUL	Application type	FUL
Case officer	Jenna Turner	Public speaking time	5 minutes
Last date for determination:	19.11.12	Ward	Bassett
Reason for Panel Referral:	Request by Ward Member and five or more letters of objection have been received	Ward Councillors	Cllr L Harris Cllr B Harris Cllr Hannides

Applicant: Mr R Wiles	Agent: Concept Design & Planning
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Recommendation Summary	Conditionally approve
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Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan and other guidance as set out below. Other material considerations such as those listed in the report to the Planning and Rights of Way Panel on the 20.11.12 do not have sufficient weight to justify a refusal of the application. The proposal would be in keeping with the site and surrounding properties, accords with the Council's adopted percentage requirements for HMOs and would not have a harmful impact on the amenities of the neighbouring properties. Furthermore, the proposal would assist in meeting housing need. Where appropriate planning conditions have been imposed to mitigate any harm identified. In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004, Planning Permission should therefore be granted taking account of the following planning policies:

“Saved” Policies – SDP1, SDP5, SDP7, SDP9 and H4 of the City of Southampton Local Plan Review - Adopted March 2006 as supported by the adopted LDF Core Strategy (2010) policies CS13, CS16 and CS19 and the Council’s current adopted Supplementary Planning Guidance. The guidance within the National Planning Policy Framework (2012) is also relevant to the determination of this planning application.

Appendix attached			
1	Development Plan Policies	2	Planning History

Recommendation in Full

Conditionally approve

1. The site and its context

1.1 The application site comprises a detached, two-storey dwelling located within a spacious plot on the corner of Greenbank Crescent. The dwelling is currently vacant and the plot itself is substantially overgrown with trees and vegetation. In particular, there is a large leylandii hedge to the site boundaries which means the dwelling itself is barely visible from the street scene. There is a Tree Preservation Order relating to a Silver Birch Tree on the corner of the site.

1.2 The site slopes upwards from west to east. The surrounding area is residential in nature and typically comprises extended two-storey, detached houses with a spacious, suburban character. The architectural style of properties vary, although the majority of properties within this part of the street were constructed after 1975.

2. Proposal

2.1 The application seeks planning permission to change the use of the property from a single family dwelling house to a House in Multiple Occupation (HMO) containing 9 bedrooms. The existing double garage will be converted and the elevations changed. The property would be served by 1 off-road car parking space.

3. Relevant Planning Policy

3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (March 2006) and the City of Southampton Core Strategy (January 2010). The most relevant policies to these proposals are set out at **Appendix 1**.

3.2 The site is not allocated for a particular use or development within the Development Plan but lies within an area of Low Accessibility for Public Transport (Public Transport Accessibility Level Band 1).

3.3 The policies of the South East Plan, Southampton’s Core Strategy and Local Plan Review have been taken into account in the consideration of this application. The Core Strategy is in general conformity with the South East Plan, and it is not considered that the policies in the South East Plan either conflict with or add particular weight to the policies in the Core Strategy for this application. Consequently only the local statutory development plan policies (Core Strategy and Local Plan Review) have been cited in this report.

3.4 Core Strategy CS16 and Saved Local Plan policy H4 are relevant to the determination of planning applications for the change of use to HMOs. Policy CS16 of the Core Strategy states that the contribution that the HMOs makes to meeting housing need should be balanced against the impact on character and amenity of the area. Saved policy H4 of the Local Plan requires new HMOs to respect the amenities of neighbouring properties and the character of the area and to provide adequate private and useable amenity space.

3.5 The Houses in Multiple Occupation SPD was adopted in March 2012, which provides supplementary planning guidance for policy H4 and policy CS16 in

terms assessing the impact of HMOs on the character and amenity and mix and balance of households of the local area. The SPD sets a maximum threshold of 10% for the total number of HMOs in the ward of Bassett which is measured from the application site within a 40m radius or the 10 nearest residential properties (section 6.5 refers).

4. Relevant Planning History

4.1 The planning history of the site is set out in **Appendix 2** of this report.

5. Consultation Responses and Notification Representations

5.1 Following the receipt of the planning application a publicity exercise in line with department procedures was also undertaken which included notifying adjoining and nearby landowners and erecting a site notice (11.10.12). At the time of writing the report **35** representations have been received from surrounding residents. The following is a summary of the points raised:

5.2 ***The HMO Supplementary Planning Document sets out that there is already more than 10% HMOs within the Bassett Ward. This means that the threshold has been met and no more should be approved.***

5.3 Response

The HMO Supplementary Planning Document takes into account the existing concentration of HMOs within the Bassett Ward and accordingly sets a lower threshold of HMO's to be permitted within a 40 metre radius of application properties. The current provision of HMOs within this radius is currently 0.

5.4 ***The site has insufficient car parking to serve the proposed number of residents and would result in overspill car parking onto the street which would create an inconvenience for existing residents. The proposal would result in vehicle movements which would have a harmful impact on highway safety.***

5.5 Response

The provision of 1 car parking space is in accordance with the adopted maximum car parking spaces and is therefore considered to be acceptable. The Highway Officer has raised no objection to the proposal on grounds of parking levels or highway safety.

5.6 ***The intensity of the number of bedrooms proposed would have a harmful impact on the character of the area in terms of comings and goings and noise and disturbance.***

5.7 Response

The Council has statutory powers under Environmental Health legislation to monitor and enforce against local nuisance and noise. The HMO SPD sets a threshold of 10% HMOs within a 40 metre radius of the application site, to minimise the impact on residential amenity. Compliance with this threshold therefore manages the impact of the development.

5.8 ***There is insufficient amenity space to serve a nine-bedroom HMO***

5.9 **Response**
It is proposed that approximately 113 sq.m of amenity space would be provided to the rear of the property which is in excess of what is normally required for a family dwelling. There are no specific garden standards for HMOs but the quality and useability of this space is considered to be acceptable.

5.10 ***The proposal does not incorporate a waste management plan***
The proposed layout makes provision for refuse and recycling storage and a condition is suggested to ensure that refuse containers do not get left on the property frontage following collection day.

5.11 ***The proposed bedrooms and communal areas are too small***

5.12 **Response**
The Private Sector Housing team have raised no objection to standard of living conditions for the future HMO residents, subject to complying with obligatory fire safety regulations under the Housing Act.

5.13 ***The proposal would erode the supply of larger executive homes within the area and is out of character with the surrounding area.***

5.14 **Response**
The 10% threshold limit for the Bassett ward set out in the HMO SPD takes into the character of the local area in terms of maintaining a sustainable mix and balance of households in the community by ensuring that there is not an overconcentration of HMOs within the area surrounding the application site.

5.15 **Consultation Responses**

5.16 **SCC Highways** - No objection subject to conditions

5.17 **SCC Environmental Health (Pollution & Safety)** - No objection subject to conditions

5.18 **SCC Private Sector Housing** –No objection.

5.19 **SCC Trees Team** – No objection subject to conditions.

6. Planning Consideration Key Issues

6.1 The application needs to be assessed in terms of the planning history of the site and the following key issues:

- i. The principle of development;
- ii. Impact on established character;
- iii. Impact on residential amenity;
- iv. Quality of residential environment and,
- v. Highways and parking.

6.2 **Principle of Development**

6.2.1 When assessing applications for the conversion of a property into a HMO, policy CS16 (2) is applicable where internal conversion works limit the

buildings' ability to be re-used as a C3 dwelling house in the future. The proposed conversion does not involve significant alterations to the existing property and as such, could be converted back to a single-family dwelling house in the future. The proposal does not, therefore, result in the net loss of a family home and the proposal would be in accordance with policy CS16 of the Core Strategy. The proposed development is also in accordance with saved policies H1 and H2 of the Local Plan which support the conversion of existing dwellings for further housing and require the efficient use of previously developed land. The proposed development meets a recognised housing need for single person households or for those with lower incomes and is therefore, acceptable in principle.

6.2.2 The Houses in Multiple Occupation Supplementary Planning Document sets out that for the Bassett ward, the maximum number of HMOs within a 40 metre radius of the application property should not exceed 10%. The SPD sets out that a key reason for the threshold approach is to prevent the harmful impacts to character and amenity that can occur from high concentrations of HMOs.

6.3 Impact on the Established Character of the Area

6.3.1 An assessment of the properties within a 40 metre radius of the application property has been carried out in accordance with section 6 of the SPD. Following a review of the Electoral Register and Licensing records, it is considered that if approved, the application would result in 1 in 12 (8.3%) properties being a HMO. The proposal would not, therefore exceed the maximum 10% threshold HMO's within the vicinity of the site and would therefore result in an appropriate mix and balance of properties which would maintain the character of the area.

6.3.2 The application proposes no physical alterations to the existing building except to facilitate the garage conversion. There is sufficient space on site for the requisite storage for refuse and cycles without the storage being readily visible from public vantage points and a planning condition is suggested to secure the appropriate storage. The proposed conversion is therefore considered not to have a harmful impact on the character of the area.

6.4 Impact on Residential Amenity

6.4.1 The threshold approach as set out in the HMO Supplementary Planning Document is a key way to manage the impacts of HMOs on residential amenity. In addition to this, the detached nature of the dwelling and separation to neighbouring properties would minimise disturbance to neighbouring occupiers. Furthermore, the absence of physical alterations to the building would ensure that the proposal would not result in additional overlooking or impact on outlook and shading of neighbouring properties.

6.5 Quality of Residential Environment

6.5.1 The Council's Private Housing Team have raised no objection to the scheme in terms of the internal layout of the property including the provision of communal facilities.

6.5.2 There are no specific external amenity space standards relating to HMOs, although it is reasonable to expect residents to have access to communal space (internal and external) and a reasonable outlook from their bedrooms. The amount of amenity space proposed is in excess of what would usually be

acceptable for a family dwelling. The proposed amenity space areas are sufficiently private and useable in terms of layout.

6.5.3 Outlook from habitable room windows would generally be good and a condition is suggested to secure a landscape management scheme to secure works to improve the relationship of the property with the trees and shrubs on the site.

6.6 Highways and Parking

The level of parking to serve the development is in accordance with the adopted standards. The proposal would make use of the existing vehicular access to the site and as such, Highways have raised no objection and the scheme is considered to be acceptable in this respect. There is scope to add parking to the site frontage at the expense of the retained landscaping but this does not currently form part of the scheme.

7. Summary

7.1 The proposed HMO does not exceed the threshold limit of 10% surrounding the application site in accordance with the HMO SPD and, therefore, the introduction of a HMO in this part of Greenbank Crescent will have an acceptable impact on the overall character and amenity of the area surrounding the application site. The proposal maintains a sustainable mix and balance of households in the local community, whilst meeting the need for important housing in the city.

8. Conclusion

8.1 Subject to the imposition of the suggested conditions attached to this report, the proposal would be acceptable. The application is therefore recommended for 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).

JT for 20/11/12 PROW Panel

PLANNING 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 - Cycle storage [Pre-Occupation Condition]

The development to which this consent relates shall not be brought into use in full or in part until details for a secure, covered space has been laid out within the 9 bicycles to be stored and for cycle stands to be made available for the occupiers have been submitted and agreed in writing with the Local Planning Authority and thereafter implemented in

accordance with the agreed details. The cycle store and cycle stand hereby approved shall thereafter be retained on site for those purposes.

Reason:

To encourage cycling as an alternative form of transport.

03. APPROVAL CONDITION - Refuse & Recycling [Pre-Commencement Condition]

Prior to the first occupation of the use hereby approved 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 as approved shall provide for a level approach and be permanently maintained and retained for that purpose. With the exception of collection days, refuse containers shall not be stored on the property frontage.

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 - Retention of front boundary treatment [performance condition]

Unless otherwise agreed in writing by the Local Planning Authority the front boundary hedge and gated access enclosing the front of the site shall be retained for the lifetime of the development.

Reason:

To secure a satisfactory form of development.

05. APPROVAL CONDITION - Landscaping, lighting & means of enclosure detailed plan [Pre-Commencement Condition]

Notwithstanding the submitted details, before the development hereby approved first comes into occupation, a detailed landscaping scheme and implementation timetable shall be submitted to and approved by the Local Planning Authority which includes:

- i. planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate;
- ii. an accurate plot of all trees to be retained and to be lost. Any trees to be lost shall be replaced on a favourable basis (a two-for one basis unless circumstances dictate otherwise); and
- iii. a landscape management scheme.

Any trees, shrubs, seeded or turfed areas which die, fail to establish, are removed or become damaged or diseased, within a period of 5 years from the date of planting shall be replaced by the Developer in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation. The Developer shall be responsible for any replacements for a period of 5 years from the date of planting.

The approved hard and soft landscaping scheme (including parking) for the whole site shall be carried out prior to occupation of the building or during the first planting season following the full completion of building works, whichever is sooner. The approved scheme implemented shall be maintained for a minimum period of 5 years following its complete provision.

Reason:

To improve the appearance of the site and enhance the character of the development in the interests of visual amenity, to ensure that the development makes a positive contribution to the local environment and, in accordance with the duty required of the Local Planning Authority by Section 197 of the Town and Country Planning Act 1990

06. APPROVAL CONDITION – Restriction on number of occupiers [performance condition]

The Sui Generis House in Multiple Occupation (HMO) hereby approved shall only be used for a maximum of 9 residents and the communal areas as shown on the plans hereby approved shall be retained for the communal use of the occupants of the properties at all times and not for additional sleeping accommodation.

Reason:

To define the planning permission and to ensure that the HMO meets Council's standards.

07. 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.

Core Strategy - (January 2010)

CS4 Housing Delivery
CS16 Housing Mix and Type

City of Southampton Local Plan Review – (March 2006)

SDP1 Quality of Development
SDP7 Urban Design Context
SDP9 Scale, Massing & Appearance
H4 Houses in Multiple Occupation

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)
Houses in Multiple Occupation (Approved – March 2012)
Parking Standards Supplementary Planning Document (2011)

Other Relevant Guidance

National Planning Policy Framework

Relevant Planning History

1150/E Erection of two houses	Refused 14.04.1959
1161/56 Erection of house and garage	Permitted 15.09.1959
1535/W2 Erection of detached house on land adjacent to property	Refused 31.01.1978
1569/W30 Erection of single storey extension and garage at rear	Conditionally Approved 22.04.1980
06/00023/FUL Construction of detached dwelling with detached garage	Conditionally Approved 06.03.2006
06/00735/FUL Retention of gates and canopy structure at existing access in the western boundary.	Conditionally Approved 07.11.2006
12/01038/OUT Erection of 3x 4-bed detached houses with associated parking and cycle/refuse storage (Outline application seeking approval for access, appearance, layout and scale)	Refused 21.09.12

REFUSAL REASON – Design & Character

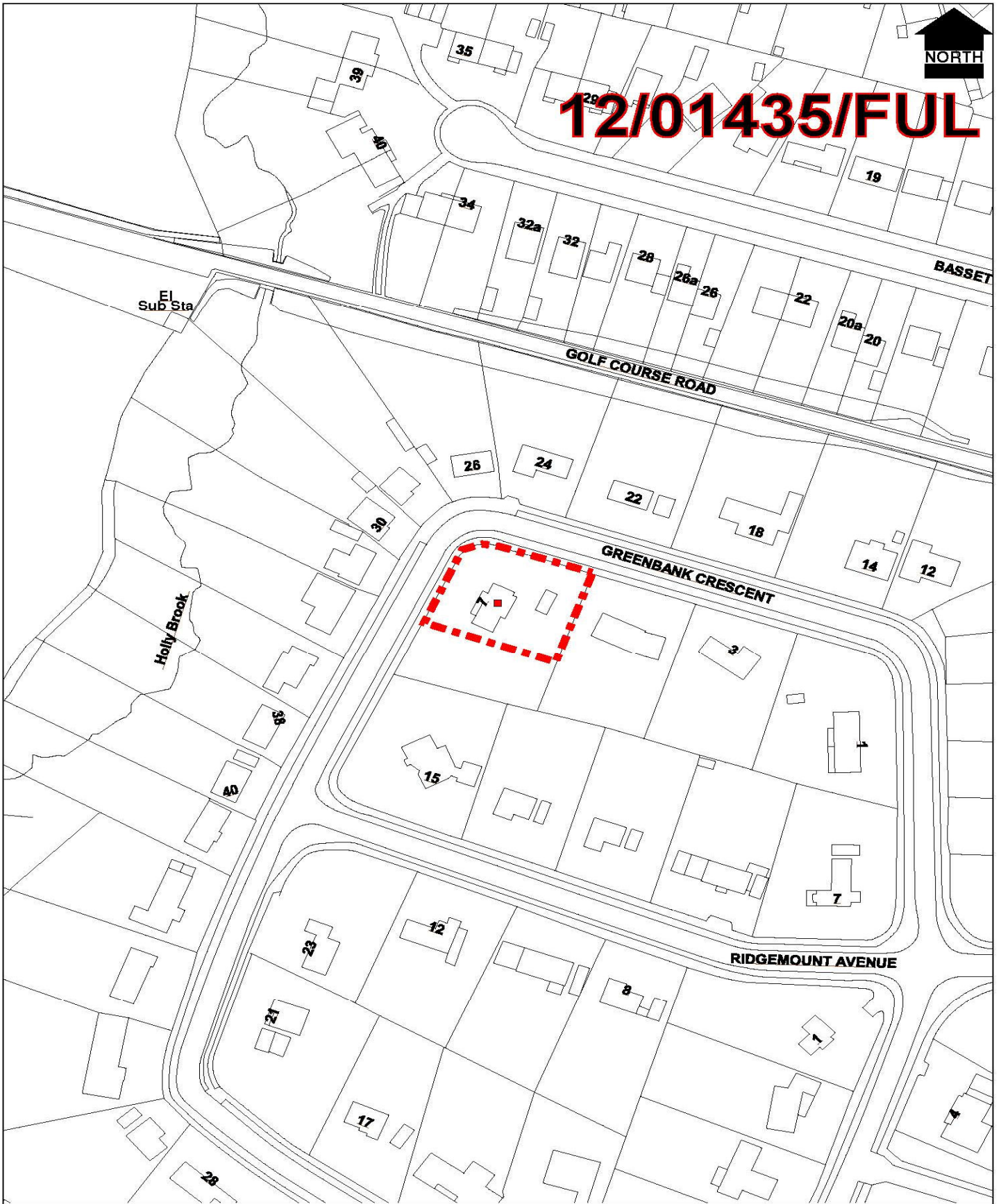
The proposed redevelopment of 7 Greenbank Crescent with three dwellings, in the manner proposed, is considered to be a discordant form of development that would harm the established pattern of development that prevails within the area. The proposals, by reasons of their design, siting, spatial characteristics (including a proposed back garden that does not achieve either the 10m depth set out in the Council's standards or that of its neighbours) and building-to-plot relationships (between themselves and their neighbours) and their subsequent residential density would exhibit a characteristic that significantly differs from the prevailing pattern of development. Furthermore, the exclusion of garden land from the Government's definition of previously developed land (as contained within the National Planning Policy Framework (2011)), and the subsequent shift in emphasis for housing delivery, makes the principle of the proposed development on this mature garden harder to justify. Taken together, these factors are considered to be symptomatic of an overdevelopment of the site which would harm the character of the area. As such, the development would prove contrary to the provisions of policies CS4 and CS13 (1) (11) of the adopted Local Development Framework Core Strategy (January 2010) as supported by "saved" policies SDP7 and SDP9 (i) of the adopted City of Southampton Local Plan Review (March 2006) and the guidance as set out in the Council's approved Residential Design Guide SPD (September 2006) (namely, sections 2.1, 2.3.14, 3.1, 3.2, 3.7.7, 3.7.8, 3.8, 3.9, 3.10.2 and 3.11.3).

12/01435/FUL Change of use from C3 dwelling house to 9 bed sui generis house of multiple occupation (HMO) with associated parking	Pending Consideration
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12/01577/OUT

Pending Consideration

Erection of 3 x 4-bed detached houses with associated parking and cycle/refuse storage (outline application seeking approval for access, layout and scale). Resubmission of planning reference 12/01038/OUT



12/01435/FUL

Scale : 1:1250

Date 07 November 2012

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