

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

Application address: 72 Westwood Road			
Proposed development: Extensions to the side and rear, conversion of the existing building into 10 flats (3 x studio, 3 x one bedroom, 3 x two bedroom and 1 x three bedroom) with associated facilities and erection of a new four bedroom house at the side with associated parking.			
Application number	12/01286/FUL	Application type	FUL
Case officer	Richard Plume	Public speaking time	15 minutes
Last date for determination:	22.11.2012	Ward	Bevois
Reason for Panel Referral:	Major application subject to objections	Ward Councillors	Cllr Barnes-Andrews Cllr Burke Cllr Rayment

Applicant: Mr B Kakiya	Agent: Concept Design & Planning
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Recommendation Summary	Delegate to Planning and Development Manager to grant planning permission subject to criteria listed in report
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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. The Council has particularly considered the design of the building, the impact on the amenities of neighbours and the car parking arrangements and found these matters to be satisfactorily addressed. 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 planning permission should be granted.

Policies - SDP1, SDP5, SDP7, SDP9, SDP13, CLT5, CLT6, H1, H2, H6 and H7 of the City of Southampton Local Plan Review (March 2006) and Policies CS4, CS5, CS13, CS15, CS16, CS19, CS20 and CS25 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

Appendix attached			
1	Development Plan Policies		

Recommendation in Full

1) Delegate to the Planning and Development Manager to grant planning permission subject to the completion of a S.106 Legal Agreement to secure:

i. Financial contributions towards site specific transport improvements in the vicinity of the site in line with Policy SDP4 of the City of Southampton Local Plan Review (March 2006), Policies CS18 and CS25 of the adopted LDF Core Strategy (2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended).

- ii. A financial contribution towards strategic transport improvements in the wider area as set out in the Local Transport Plan and appropriate SPG/D.
 - iii. Financial contributions towards the relevant elements of public open space required by the development in line with Policies CLT5, CLT6 of the City of Southampton Local Plan Review (March 2006), Policy CS25 of the adopted LDF Core Strategy (2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended).
 - iv. Provision of affordable housing in accordance with Core Strategy Policy CS15.
 - v. Submission of a highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer.
- 2) In the event that the legal agreement is not completed within two months of the Panel meeting the Planning and Development Manager be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.
- 3) That the Planning and Development Manager be given delegated powers to vary relevant parts of the Section 106 agreement and to remove, vary or add conditions as necessary.

1. The site and its context

- 1.1 The application site is a 3-storey detached house situated on the south-east side of Westwood Road. There is an existing vehicular access to Westwood Road and off-street car parking at the front of the house for at least 4 cars.
- 1.2 The surroundings are mainly residential in character with predominantly blocks of flats on the Westwood Road frontage. The property immediately adjoining to the west is Pembroke Court, a vacant 4-storey sheltered housing building which has permission for redevelopment to provide a 72 bedroom residential care home. 3 and 4 -storey blocks of flats are on the opposite side of Westwood Road. 2 storey detached houses adjoin to the rear in Gordon Avenue and along the private access road which is on the east side of the application site.

2. Proposal

- 2.1 This application proposes to retain, convert and extend the existing house to provide 10 flats and to build a new 3-storey house on the east side of the existing building.
- 2.2 The proposed extensions would be a 2-storey side addition to the west side of the house and a single-storey flat roofed extension to the rear. The extended property would be converted into 10 flats (3 studio units, 3 x one bedroom flats, 3 x two bedroom flats and a 3 bedroom flat which is on the ground floor with its own amenity space).
- 2.3 The proposed new house would be a 4 bedroom property arranged on three levels including accommodation within the roofspace. The architectural style would be 'traditional' with a gabled roof and a projecting two-storey bay window. The house would sub-divide the plot with its own vehicle access, car parking area and rear garden. The design of the house has been changed since the original

submission. The elevations have been re-designed to reduce the amount of glazing on the rear elevation and thereby limit potential overlooking.

- 2.4 A total of 8 car parking spaces would be provided, 2 for the new house and 6 spaces for the flats.

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 Major developments are expected to meet high sustainable construction standards in accordance with adopted Core Strategy Policy CS20 and Local Plan “saved” Policy SDP13.
- 3.3 The National Planning Policy Framework (NPPF) came into force on 27 March 2012 and replaces the previous set of national planning policy guidance notes and statements. Having regard to paragraph 214 of the NPPF the local policies and saved policies listed in this report retain their full material weight for decision making purposes.

4. Relevant Planning History

- 4.1 In July 2010, planning permission was granted for a 2-storey extension on the west side of the house and a single-storey rear extension (reference 10/00640/FUL). This permission has not yet been implemented.
- 4.2 In November 2010 planning permission was refused for the erection of a 2-storey side extension and a detached double garage in the front garden (reference 10/01314/FUL). This extension was proposed for the east side of the building, where the house is now proposed, and was shown as being 7.5 metres wide. The reason for refusal related to the disproportionate size of the extension and the unduly dominant appearance of the garage.

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, placing a press advertisement (13.09.2012) and erecting a site notice (06.09.2012) . At the time of writing the report **3** representations have been received from surrounding residents. The following is a summary of the points raised.
- 5.2 **The size of the plot is not big enough for a 4 bedroom detached dwelling as well as the house that is already there with its proposed extensions. The proposed plans do not take into account the existing site layout and elevations of 74 Westwood Road that have been updated through alterations undertaken in 2010. The extension would be overbearing to number 74 due to its excessive height and proximity to the boundary.**

Response

These comments are addressed later in this report. The application has been amended in response to these comments.

- 5.3 **The proposed layout, density and size of the flats are excessive for the size of the plot and the existing property. The area is already overdeveloped with the type of properties being proposed. There are already an excessive number of student, studio, small one and two bedroom properties for sale or to let in the area.**

Response

National and local planning policies support making efficient and effective use of existing land and buildings. The dwellings proposed are a mix of family sized units and smaller units which comply with Core Strategy Policy CS16.

- 5.4 **There is insufficient space on the site for parking, bin storage and amenity space for 10 flats. This will result in cars parking on the road which is already at full capacity due to parking restrictions in adjoining streets and use of the road by shoppers and employees working in Portswood.**

Response

The parking issues are addressed later in this report

- 5.5 **SCC Highways** - No objections, the level of car parking is reasonable for this location which is an area of high public transport accessibility.
- 5.6 **SCC Housing** – The proposed scheme is not suitable for on site affordable housing, due to the size of the units, which are small in size and would not meet the required size and design standards for affordable housing. Therefore, in this case a commuted financial payment to be used in providing affordable housing on an alternative site would be appropriate subject to the outcome of the viability assessment which has been submitted.
- 5.7 **SCC Sustainability Team** – No objections subject to conditions to ensure Code 4 is achieved and the necessary reduction in carbon emissions.
- 5.8 **SCC Archaeology** – The site lies outside the main areas of archaeological importance and there are no known archaeological sites and findspots in the immediate vicinity of the development site. Consequently, should planning consent be granted no archaeological conditions would be required.
- 5.9 **SCC Environmental Health (Pollution & Safety)** - no objections to this application subject to conditions.
- 5.10 **SCC Environmental Health (Contaminated Land)** - This department considers the proposed land use as being sensitive to the affects of land contamination. Records maintained by SCC - Regulatory Services indicate that the subject site is located on/adjacent to the following existing and historical land uses: Garage (Approx. 100m East). These land uses are associated with potential land contamination hazards. There is the potential for these off-site hazards to migrate from source and present a risk to the proposed end use, workers involved in construction and the wider environment. Therefore, to ensure compliance with

Para 120 & 121 of the National Planning Policy Framework - March 2012 and policies SDP1 and SDP22 of the City of Southampton Local Plan Review (adopted version, March 2006) this department would recommend that the site be assessed for land contamination risks and, where appropriate, remediated to ensure the long term safety of the site. To facilitate this I recommend, if planning permission is granted, that conditions be attached.

- 5.11 **Southern Water** – No objections subject to a condition and informative requiring further details of foul and surface water drainage.

6. Planning Consideration Key Issues

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

- The principle of this form of development
- Design issues
- Impact on residential amenity
- Transport and parking issues

6.2 Principle of Development

Properties in Westwood Road have been extensively redeveloped in recent years and this is one of the few remaining original villas in the street. The building is not 'protected' in terms of listed building or conservation area status so it could have been the subject of redevelopment proposals. This proposal to retain and convert the building is welcomed. Core Strategy Policy CS 16 seeks to provide a mix of housing types. The policy seeks a target of 30% of total dwellings as family homes on sites of 10 or more dwellings. The policy also requires there to be no net loss of family dwellings. The application includes two family sized units, the proposed new house and a 3 bedroom flat at ground floor level within the converted building. This unit will have its own private amenity space. The rest of the property would be converted to provide a range of smaller units, studios and 1 and 2 bedroom flats. This range of housing types complies with the Core Strategy Policy on mix of dwellings.

6.3 Design Issues

The proposed extensions to the house are very similar to those granted permission in July 2010 which could still be implemented. The proposed conversion and refurbishment of the property would be a welcome improvement to this part of the street. The site of the proposed new house is some 8 metres wide towards the road frontage but is less than this to the rear due to the tapering of the site boundary. There is sufficient width to accommodate a new house but this does result in an unusual shape to the rear garden which limits its useability. However, the size of the garden is over 90 square metres which is in accordance with the normal standard. The existing house to be converted would retain a substantial shared garden of 220 square metres as well as providing a private amenity area for the ground floor 3 bedroom flat. Although the site of the proposed house is where a 2-storey side extension was refused permission in November 2010, the design is different and the proposed house would clearly read as a separate building rather than an extension. The November 2010 proposal also included a detached garage in the front garden which is not part of this application.

6.4 In architectural terms, the proposed new house has a 'traditional feel' which seeks to respect certain features of the main house with a gabled roof, bay window and chimney. Although it is on three levels, the top floor is within the roofspace and the building would appear subservient in scale to the retained house and much smaller than the 4-storey blocks of flats which is the prevailing building form in the street, including the building which adjoins to the east. The development of a house here as well as converting the property into flats makes efficient and effective use of the land in accordance with government advice and local planning policy.

6.5 Impact on residential amenity

The main issue in terms of neighbour amenity relates to the impact of the new house on the property to the rear at 74 Westwood Road. This adjoining property was previously a chalet bungalow with accommodation in the roofspace. It has recently been significantly enlarged with a two-storey extension to the front. The construction of this extension has resulted in the front of that building coming closer to the application site by some 3 metres with the incorporation of three windows to the front elevation, a kitchen window at ground floor level and two bedroom windows at first floor level. The proposed new house would result in a separation distance of approximately 17 metres which is less than the normal standard of rear to rear facing windows. However, the changes to the design result in there being no windows in the rear elevation at first or second floor levels which would prevent direct overlooking. The proposed new house is on the north side of this adjoining property so there will be no loss of sunlight. There will undoubtedly be some impact on 74 Westwood Road in terms of an increased sense of enclosure but this adjoining property is effectively in a backland location and, due to its siting and recent extensions, it cannot be given full protection in terms of development of an adjoining site. The front of 74 Westwood Road directly adjoins a public footpath which links Westwood Road to Gordon Avenue and the front garden is not a private space at present as it is used for car parking rather than as a private amenity area. Overall, it is considered that there would be some adverse impact on the amenity of this neighbour but not sufficient to justify a refusal of permission.

6.6 Transport

This site is just within an area of high public transport accessibility due to its proximity to the bus routes in the Portwood District Centre. According to the new car parking standards, a maximum of 13 spaces could be provided for this mix of dwellings. The proposed layout allows for 2 spaces for the new house and 6 spaces for the flats (maximum of 11 permissible). The car parking levels are therefore in accordance with the maximum standards. Members will be aware of previous advice that the Council cannot require a developer to provide more parking than they wish to provide. Daytime visits to the site have revealed that on street parking is quite busy at this end of Westwood Road, probably as a result of the controlled parking scheme on the north side of Brookvale Road which has inevitably displaced visitor parking into this end of Westwood Road. An evening parking survey submitted by the applicant reveals spare capacity for on-street parking in the vicinity of the site. In these circumstances the car parking arrangements are considered to be acceptable.

7. Summary

- 7.1 The principle of retaining and converting the existing building into flats is supported. The conversion scheme provides a range of dwelling sizes which comply with Core Strategy Policy. The design of the new contemporary house and the car parking arrangements are acceptable. Infilling the gap at the side of the house will have some adverse impact on the amenities of the occupiers of 47 Westwood Road but this is not considered to be to an unacceptable degree.

8. Conclusion

- 8.1 It is recommended that permission be granted subject to a Section 106 agreement and conditions.

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), 4(f), 4(g), 4(vv), 6(a), 6(c), 7(a), 8(a), 9(a), 9(b).

RP2 for 20/11/2012 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 - Details of building materials to be used [Pre-Commencement Condition]

Notwithstanding the information shown on the approved drawings and application form no development works shall be carried out unless and until a written schedule of external materials and finishes has been submitted to and approved in writing by the Local Planning Authority. Development shall be implemented only in accordance with the agreed details. These shall include full details of the manufacturers, types and colours of the external materials to be used for external walls, windows, doors and the roof of the proposed buildings. It is the Local Planning Authority's practice to review all such materials on site. The developer should have regard to the context of the site in terms of surrounding building materials and should be able to demonstrate why such materials have been chosen and why alternatives were discounted. If necessary this should include presenting alternatives on site.

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.

03. APPROVAL CONDITION- Land Contamination investigation and remediation [Pre-Commencement & Occupation Condition]

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a scheme to deal with the risks associated with contamination of the site shall

be submitted to and approved by the Local Planning Authority. That scheme shall include all of the following phases, unless identified as unnecessary by the preceding phase and approved in writing by the Local Planning Authority:

1. A desk top study including;
historical and current sources of land contamination
results of a walk-over survey identifying any evidence of land contamination
identification of the potential contaminants associated with the above
an initial conceptual site model of the site indicating sources, pathways and receptors
a qualitative assessment of the likely risks
any requirements for exploratory investigations.
2. A report of the findings of an exploratory site investigation, characterising the site and allowing for potential risks (as identified in phase 1) to be assessed.
3. A scheme of remediation detailing the remedial actions to be taken and how they will be implemented.

On completion of the works set out in (3) a verification report shall be submitted to the Local Planning Authority confirming the remediation actions that have been undertaken in accordance with the approved scene of remediation and setting out any measures for maintenance, further monitoring, reporting and arrangements for contingency action. The verification report shall be approved by the Local Planning Authority prior to the occupation or operational use of any stage of the development.

Any changes to these agreed elements require the express consent of the local planning authority.

Reason:

To ensure land contamination risks associated with the site are appropriately investigated and assessed with respect to human health and the wider environment and where required remediation of the site is to an appropriate standard.

04. APPROVAL CONDITION - Use of uncontaminated soils and fill [Pre-Commencement Condition]

Clean, uncontaminated soil, subsoil, rock, aggregate, brick rubble, crushed concrete and ceramic shall only be permitted for infilling and landscaping on the site. Any such materials imported on to the site must be accompanied by documentation to validate their quality and be submitted to the Local Planning Authority for approval prior to the occupancy of the site.

Reason:

To ensure imported materials are suitable and do not introduce any land contamination risks onto the development.

05. APPROVAL CONDITION- Unsuspected Contamination [Performance Condition]

The site shall be monitored for evidence of unsuspected contamination throughout construction. If potential contamination is encountered that has not previously been identified no further development shall be carried out unless otherwise agreed in writing by the Local Planning Authority.

Works shall not recommence until an assessment of the risks presented by the contamination has been undertaken and the details of the findings and any remedial actions has been submitted to and approved by the Local Planning Authority.

Any changes to the agreed remediation actions will require the express written consent of the Local Planning Authority.

Reason:

To ensure any land contamination not previously identified is assessed and remediated so as not to present any significant risks to human health or, the wider environment.

06. 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.

07. APPROVAL CONDITION - No other windows or doors other than approved [Performance Condition]

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any order amending, revoking or re-enacting that Order), no windows, doors or other openings other than those expressly authorised by this permission shall be inserted in the rear elevation of the 4 bedroom house hereby permitted without the prior written consent of the Local Planning Authority.

Reason:

To protect the amenities of the adjoining residential properties.

08. APPROVAL CONDITION - Code for Sustainable Homes [Pre-Commencement Condition]

Before the new build development commences, written documentary evidence demonstrating that the new build development will achieve at minimum Level 4 of the Code for Sustainable Homes in the form of a design stage assessment, shall be submitted to the Local Planning Authority for its approval, unless an otherwise agreed timeframe is agreed in writing by the LPA.

REASON:

To ensure the development minimises its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

09. APPROVAL CONDITION - Code for Sustainable Homes [Performance Condition]

Within 6 months of any part of the development first becoming occupied, written documentary evidence proving that the development has achieved at minimum Level 4 of the Code for Sustainable Homes in the form of post construction assessment and certificate as issued by a legitimate Code for Sustainable Homes certification body, shall be submitted to the Local Planning Authority for its approval.

REASON:

To ensure the development has minimised its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

10. APPROVAL CONDITION - Energy (Pre-Occupation Condition)

Written documentary evidence demonstrating that the converted development will at minimum achieve a reduction in CO2 emissions of 20% over part L of the Building Regulations shall be submitted to the Local Planning Authority and verified in writing prior to the first occupation of the development hereby granted. Technologies that meet the agreed specifications must be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained thereafter.

REASON:

To reduce the impact of the development on climate change and finite energy resources and to comply with adopted policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

11. APPROVAL CONDITION - Residential - Permitted Development Restriction [Performance Condition]

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), 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 the new 4 bedroom 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 extension).

Reason:

In order that the Local Planning Authority may exercise further control in this locality given the small private garden and amenity areas provided as part of this development in the interests of the comprehensive development and visual amenities of the area.

12. APPROVAL CONDITION - Restricted use of flat roof area [Performance Condition]

The roof area of the ground floor extension hereby approved which incorporates a flat roof surface shall not be used as a balcony, terrace, roof garden or similar amenity area without the grant of further specific permission from the Local Planning authority.

Reason:

In order to protect the privacy of adjoining occupiers.

13. APPROVAL CONDITION - Refuse facilities (Pre-Occupation Condition)

The refuse storage facilities, which shall include recycling facilities, as shown on the approved drawings shall be provided before the use to which the facility relates has been provided. The storage areas shall be retained thereafter.

REASON

To ensure suitable refuse and recycling facilities are provided and in the interests of visual amenity.

14. APPROVAL CONDITION - Layout of Car Parking/Servicing (Pre-Occupation Condition)

The whole of the car parking, cycle storage and servicing facilities shown on the approved plans shall be laid out and made available before the use of the building to which these facilities relate commences and thereafter retained solely for the use of the occupants and visitors to the site and for no other purpose.

REASON

To ensure adequate on-site parking and servicing facilities and to avoid congestion in the adjoining highway.

15. APPROVAL CONDITION - Treatment to front garden (Pre-Commencement Condition)

Development shall not commence until details of the treatment to the front garden of the property has been submitted to and approved in writing by the Local Planning Authority. These details shall include the means of enclosure, including the front boundary wall and piers, and the hard and soft landscaping treatment. The works shall be carried out in accordance with these approved details.

Reason

To ensure a satisfactory treatment to the frontage and the streetscene.

16. APPROVAL CONDITION - Foul and Surface Water Drainage (Pre-Commencement Condition)

No development shall commence until details of the proposed means of foul and surface water sewerage disposal has been submitted to, and approved by, the Local Planning Authority in consultation with Southern Water. The development shall be carried out in accordance with these approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason

In order that the Local Planning Authority may be satisfied that the development would not increase the risk of flooding in the area.

17. 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 - (January 2010)

CS4	Housing Delivery
CS5	Housing Density
CS13	Fundamentals of Design
CS15	Affordable Housing
CS16	Housing Mix and Type
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS25	The Delivery of Infrastructure and Developer Contributions

City of Southampton Local Plan Review – (March 2006)

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP6	Urban Design Principles
SDP7	Urban Design Context
SDP8	Urban Form and Public Space
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP13	Resource Conservation
SDP14	Renewable Energy
SDP22	Contaminated Land
HE6	Archaeological Remains
CLT5	Open Space in New Residential Developments
CLT6	Provision of Children's Play Areas
H1	Housing Supply
H2	Previously Developed Land
H5	Conversion to residential Use
H7	The Residential Environment

Supplementary Planning Guidance

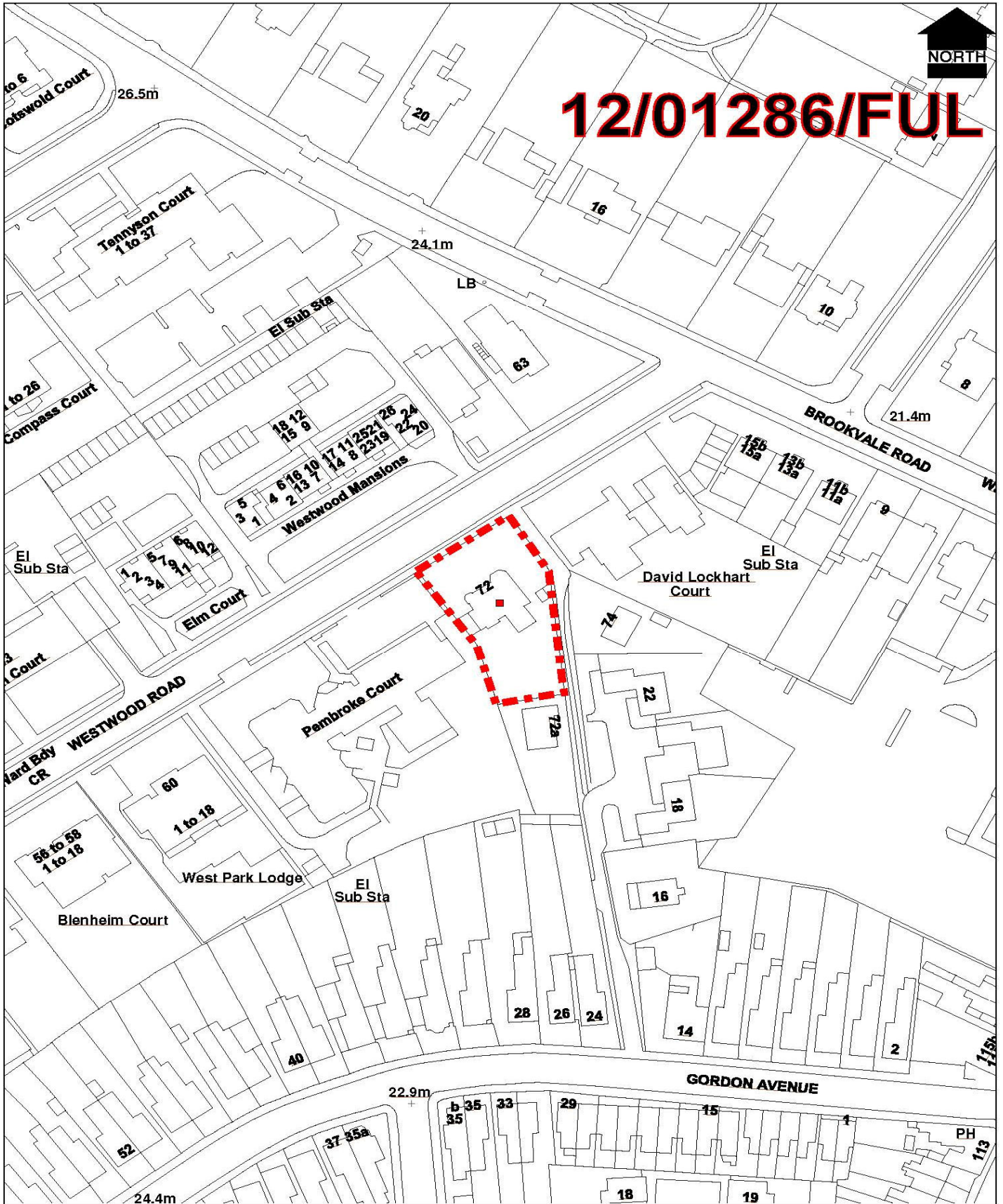
Residential Design Guide (Approved - September 2006)
Planning Obligations (Adopted - August 2005 and amended November 2006)
Parking Standards (September 2011).

Other Relevant Guidance

The National Planning Policy Framework 2012



12/01286/FUL



Scale : 1:1250

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