

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

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| Application address: 5 Chafen Road SO18 1BD | | | |
| Proposed development: Conversion of existing dwelling house into one x one-bed and one x three-bed flats with associated bin/cycle storage and car parking spaces. | | | |
| Application number | 14/00164/FUL | Application type | FUL |
| Case officer | Nathan Pearce | Public speaking time | 5 minutes |
| Last date for determination: | 02.04.2014 | Ward | Bitterne Park |
| Reason for Panel Referral: | Request by Ward Member and five or more letters of objection have been received | Ward Councillors | Cllr Ivan White Cllr Peter Baillie Cllr John Inglis |

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| Applicant: Mr M Fowler | Agent: Cmc Design - Fao Chris Mcdermott |
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| Recommendation Summary | Conditionally approve |
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|---|-----------|
| Community Infrastructure Levy Liable | No |
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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 intensification of use of the family dwelling to provide one further unit is considered on balance not to materially harm the character, amenity, and highway safety of the local area. The retention of a suitable family unit in accordance with policy CS16 and provision of a smaller housing unit will contribute to the city's housing need for families as well as low income and small households, whilst not detrimentally unbalancing the mix of the community.

Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with

the applicant in a positive and proactive manner as required by paragraphs 186-187 of the National Planning Policy Framework (2012).
Policies - SDP1, SDP5, SDP7, H1, H2, H7, of the City of Southampton Local Plan Review (March 2006) and CS4, CS6, CS13, CS15, CS16, CS19 and CS20 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

| Appendix attached | | | |
|--------------------------|---------------------------|--|--|
| 1 | Development Plan Policies | | |
| | | | |

Recommendation in Full

Conditionally approve

1.0 The site and its context

- 1.1 The application site is located on the south side of an unadopted part of Chafen Road within the ward of Bitterne Park. This part of the street consists of 2 storey detached dwellings with on street parking.
- 1.2 The application site consists of a 2 storey detached dwelling with a modest sized rear garden, and without off street parking.

2.0 Proposal

- 2.1 Amended plans have been accepted during the application stage that show changes to the internal layout, this will allow the conversion of the existing three bedroom dwelling house into one x one-bed and one x three-bed flats plus associated bin/cycle storage and three car parking spaces. With the three bed flat on the ground floor and the one bed flat on the upper floor.
- 2.2 The original plans showed the ground floor flat as a two bedroom unit, this would have led to the loss of a three bedroom unit and been contrary to policy CS16.
- 2.3 The amended plans make minor changes to the internal layout of the flats and of the parking layout. These changes are considered to be an improvement of the original scheme with no further material harm to the amenity of the neighbouring occupiers or the visual character of the street scene.

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 (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 National Planning Policy Framework (NPPF) came into force on 27th 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.

3.3 Policy CS16 of the Core Strategy requires the retention of family homes. A family home built as a flat should have direct access to a minimum of 20sqm of useable and private amenity space, where the garden is for sole use of the household. The private amenity space or garden should be fit for purpose.

3.4 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).

4.0 Relevant Planning History

4.1 None

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 (06.02.2014). At the time of writing the report **12** representations have been received from surrounding residents. The following is a summary of the points raised:

5.2 Road safety, traffic, parking problems.

Response: The highways officer has raised no objections on highway safety grounds. The provision of three parking spaces in the front garden will help with the parking problems on the unadopted road and in the surrounding area.

5.3 Flats are out of character and the loss of a family home.

Response: The conversion is compliant with policy CS16 by retaining a suitable 3 bedroom family dwelling. The provision of the flats will further meet the city's housing need for units for lower income and small households who are not necessarily students, whilst contributing further to the mix of households in the community.

5.4 Impact on historic area.

Response: This site is not within a conservation area. The proposed changes are small scale and limited to the side and rear elevations. These are not considered to be out of character with the local area.

5.5 Impact on nearby Horse Chestnut tree.

Response: Outside of the site area, the proposed front hardstanding is not within the root protection zone of this tree.

5.6 Overlooking/loss of privacy.

Response: The existing first floor bedrooms 2 and 3 are proposed to become a living room and kitchen respectively. There is no change to the existing windows of these rooms. The private areas of adjacent neighbouring gardens would only

be visible from these windows when looking at a 45 degree angle or less. This is a typical relationship within most streets.

Consultation Responses

5.7 **SCC Highways** - No objection

5.8 **SCC Sustainability Team** – There is no information on how the development intends to meet policy CS20 and provide 20% C02 savings.

However if the case officer is minded to approve the application, the following condition is recommended:

K065 (ENERGY' insert 20%)

5.9 **Southern Water** – No objection

5.10 **Cllr Peter Baillie** - Request for item to go to PROW Panel as a result of residents concerns.

6.0 Planning Consideration Key Issues

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

- Principle of development
- Design, Scale, and Appearance
- Living conditions of existing and future occupiers
- Highway Safety

6.2 Principle of Development

In principle, the intensification of the dwelling for further residential use is acceptable. This is subject to the development complying with the requirements of policy CS16 to retain a suitable three bedroom family dwelling, whilst being assessed against other material considerations as set out below.

The creation of two flats on this site is not judged to be out of character or have a negative impact on the amenity and character of the surrounding area.

6.3 Design, Scale, and Appearance

The external changes will involve replacing the ground floor side window with a door, and blocking up the rear door and creating a new window. There will be two small sheds in the garden which will accommodate the bikes and bins associated with the flats. The rear garden will be split into two halves with associated landscaping, to allow each flat to have separate private amenity space.

The physical changes will not have a harmful impact upon the amenity of the existing dwelling or neighbouring occupiers.

6.4 Living conditions of existing and future occupiers

The first floor flat will be accessed via the existing front door. The ground floor flat will be accessed via a new side door.

Both flats will use the shared side access to get to their individual bike and bin stores. The ground floor flat will have direct access to its part of the rear garden.

The first floor flat will have access to its rear garden via the shared side access.

The rear garden is large enough to give adequate amenity space to both flats.

6.5 Highway Safety

The revised parking layout provides three parking spaces to the front. The Highway Officer has raised no objection to the impact on highway safety.

7.0 Summary

7.1 In summary, the intensification of use of the family dwelling to provide two units is considered on balance not to materially harm the character, amenity, and highway safety of the local area. The changed internal and external layout will create an acceptable living environment for the future occupiers. The retention of a suitable family unit in accordance with policy CS16 and provision of a smaller housing unit will contribute to the city's housing need for families as well as low income and small households, whilst not detrimentally unbalancing the mix of the community. Amenity space, car parking, cycle and refuse storage is provided to the council's required standards.

8.0 Conclusion

8.1 In conclusion, on balance the application is considered to have an acceptable impact in accordance with the Council's policy and guidance and, therefore, is recommended for 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)

NP for 22/04/14 PROW Panel

PLANNING CONDITIONS

00. Reason for granting Planning Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 186-187 of the National Planning Policy Framework (2012).

Policies - SDP1, SDP7 and SDP9 of the City of Southampton Local Plan Review (March 2006) and CS13 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

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 to match [Performance Condition]

The materials and finishes to be used for the external walls, windows (including recesses), drainage goods and roof in the construction of the building hereby permitted shall match in all respects the type, size, colour, texture, form, composition, manufacture and finish of those on the existing building.

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 - Energy (Pre-Commencement Condition)

Written documentary evidence demonstrating that the development will at minimum achieve a 20% reduction in CO2 emissions [as required in core strategy policy CS20] 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).

04. 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 including roof windows or dormer windows other than those expressly authorised by this permission shall be inserted in the development hereby permitted without the prior written consent of the Local Planning Authority.

Reason:

To protect the amenities of the adjoining residential properties.

05. APPROVAL CONDITION - Means of enclosure [Pre-Occupation Condition]

Before occupation of the development hereby approved, the means of enclosure including boundary treatment of the site shall be erected and such means of enclosure shall thereafter be retained and maintained to the boundaries of the site.

Reason:

In the interests of the visual amenities of the area and to protect the amenities and privacy of the occupiers of adjoining property.

06. 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 has been provided in accordance with the approved plans. The cycle store hereby approved shall thereafter be retained on site for those purposes.

Reason:

To encourage cycling as an alternative form of transport.

07. APPROVAL CONDITION - Refuse and 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.

08. APPROVAL CONDITION - No bins to be stored at the front of the building except on collection day [Performance Condition]

No bins are to be stored at the front of the building unless on refuse collection days.

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.

09. 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 |
| CS6 | 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 |

City of Southampton Local Plan Review – (March 2006)

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|------|-----------------------------|
| SDP1 | Quality of Development |
| SDP5 | Parking |
| SDP7 | Urban Design Context |
| H1 | Housing Supply |
| H2 | Previously Developed Land |
| H7 | The Residential Environment |

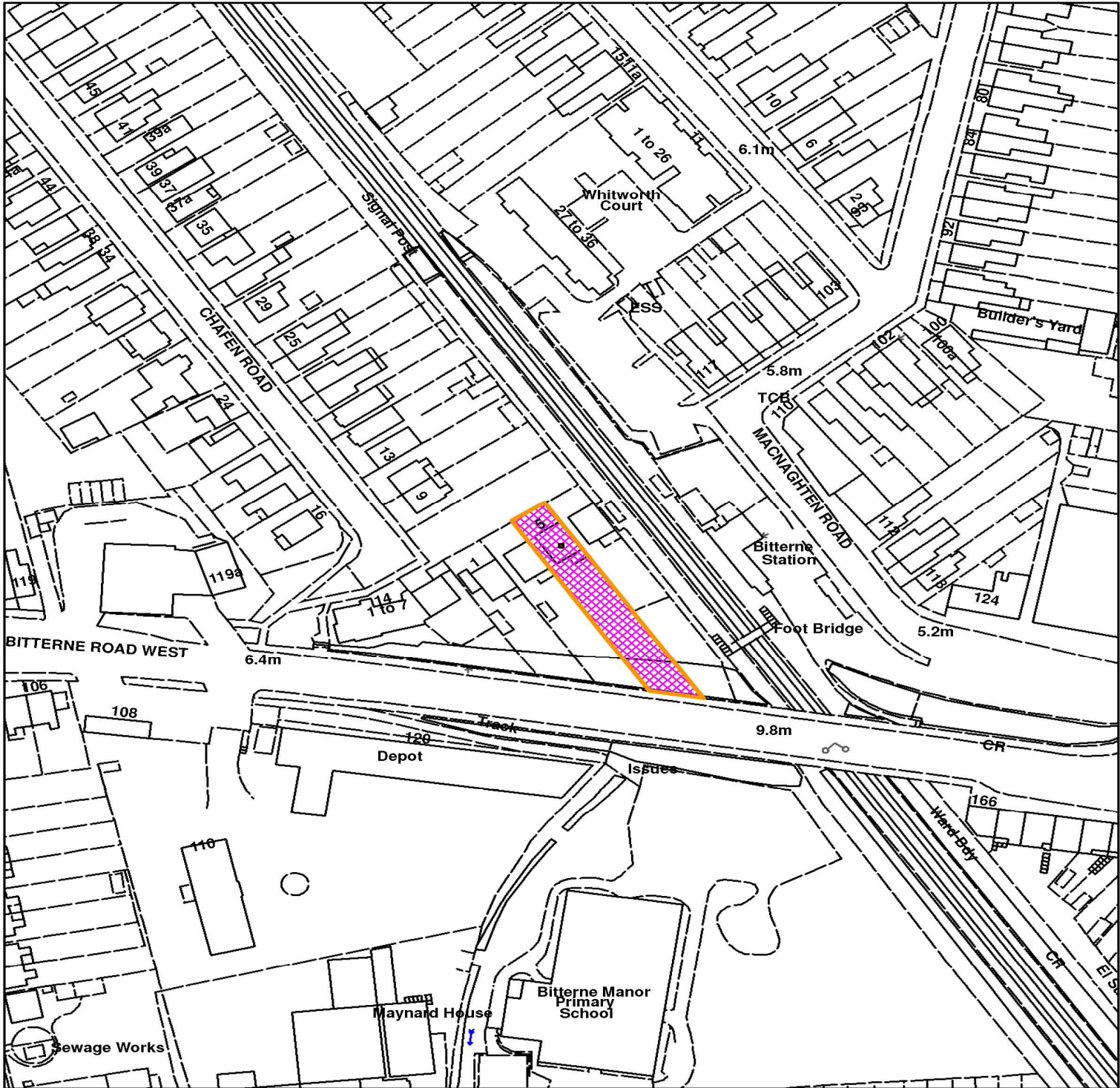
Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)
Planning Obligations (Adopted - September 2013)
Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework 2012

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Scale: 1:1,250

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