

Planning, Transport & Sustainability Division
Planning and Rights of Way Panel (WEST) - 11 November 2014
Planning Application Report of the Planning and Development Manager

Application address: 46 Cambridge Road			
Proposed development: External alterations including relocation of ground floor entrance door to side.			
Application number	14/01419/FUL	Application type	FUL
Case officer	Joanne Hall	Public speaking time	5 minutes
Last date for determination:	25/09/2014	Ward	Bevois
Reason for Panel Referral:	Five or more letters of objection have been received	Ward Councillors	Cllr Barnes-Andrews Cllr Burke Cllr Rayment

Applicant: Mr Mark Vincent	Agent: Mr Ian Knight
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Recommendation Summary	Conditionally approve
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Community Infrastructure Levy Liable	Not applicable
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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 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).

Appendix attached	
1	Development Plan Policies

Recommendation in Full

Conditionally approve

1. The site and its context

- 1.1 The application site consists of a two storey, end of terrace property which was subdivided into two flats in 1991. The site is located on the corner of Avenue Road and Cambridge Road with access to the ground floor flat via the rear garden and the first floor flat via a door in the side elevation on Cambridge Road. The property is used as two dwellings within the C3 use class.
- 1.2 The area is characterised by a mixture of family homes, houses in multiple occupation and flat conversions. It is predominately residential but close to Lodge Road shops to the South, retail, business and leisure uses on The Avenue to the West and Portswood Road to the East.

2. Proposal

- 2.1 The application seeks to remove the access door to the ground floor flat from the rear elevation replacing it with a window. The entrance would then be relocated to the side elevation. This is to provide access to both flats from Cambridge Road rather than from the rear garden of the site. This is permitted development for dwellinghouses but flats and maisonettes do not enjoy such rights and therefore planning permission is required. These external changes also allow for internal alterations to make both flats two bedroom instead of the current one bedroom.

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 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.

4. Relevant Planning History

- 4.1 In 1991 planning permission was granted for change of use from a single dwelling to two 1 bedroom flats (Reference 901702/W).
- 4.2 In May 2014, planning permission was refused for external alterations including a new external staircase to access the first floor flat (reference 14/00572/FUL)

Reason for refusal - Residential amenity

The staircase, as a result its location in proximity to the habitable room window of the middle bedroom of the ground floor flat, would result in the harmful reduction of outlook, access to daylight and privacy of this bedroom. In addition, access to the staircase via the rear garden area would result in residents walking past the habitable room window of the rear bedroom of the ground floor flat as such would cause interlocking and loss of privacy to the this bedroom. As such the proposal

is contrary to saved policies SDP(i) of the City of Southampton Local Plan Review (Adopted March 2006) and policy CS13 of the Development Plan Document Core Strategy Local Development Framework (Adopted January 2010) as supported by the guidance set out in paragraphs 2.2.1 and 2.2.2 of the Council's Residential Design Guide Supplementary Planning Document (Approved September 2006).

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. At the time of writing the report 6 representations have been received from surrounding residents, including the Outer Avenue Residents Association. The following is a summary of the points raised:

5.2 Proposal is an over-development

Response: There are no building works which would increase the size of the property. The only external alterations are the insertion of a door in the side elevation and the removal of a door and replacement with a window in the rear elevation.

5.3 The internal design/layout/space is inadequate for the number of people

Response: Planning permission is not required for altering the use of rooms within an existing dwelling. The property already has permission for use as two flats dating back to 1991. The use of rooms were not restricted by this consent. The increase of occupancy within use class C3 does not require planning permission.

5.4 Altering the flats means the property could become two HMO's.

Response: This is not being applied for and the Council has to consider the application submitted on its own merits.

5.5 Increased occupancy could result in increased demand for parking.

Response: The proposed development, the relocation of an external door, will not impact on current parking arrangements. Whilst an increase in the number of residents might occur if the room layouts are changed, this does not require permission. The rooms could therefore be changed irrespective of the relocation of the door.

5.6 Building to the boundary – too large for the plot, loss of amenity space

Response: There are no building works which would increase the size of the property. The only external alterations are the insertion of a door in the side elevation and the removal of a door and replacement with a window in the rear elevation.

5.7 Noise and disturbance

Response: It is not considered that the relocation of the door will result in an increase in noise and disturbance. The level of occupation could increase within Use Class C3 without planning permission. Should noise and disturbance occur, complaints can be directed to environmental health in the normal way.

5.8 Reason for refusal of previous application not overcome

Response: This is not the case. The reason for refusal related to the loss of light,

outlook and privacy of the ground floor flat due to access via an external staircase. These considerations do not apply to this application.

6. Planning Consideration Key Issues

6.1 The key issues for consideration in the determination of this planning application are: the principle of the development; the impact on the character of the area and visual appearance of the building.

6.2 Principle of Development

The development involves changing windows and doors within a property subdivided into 2 flats. This is permitted development for dwellinghouses but flats and maisonettes do not enjoy such rights and therefore planning permission is required. The ground floor flat is currently accessed through a door in the rear elevation and the first floor flat through a side door of the property. It is proposed that the rear access point will become a window and the entrance relocated to the side elevation. The other alterations to the property are all internal and are not connected with a change of use. Whilst the plans show the change in purpose of some rooms within the property this was not restricted under any previous application.

6.3 The application submitted and refused in May 2014 was for an external staircase to the rear of the flat for new access to the first floor flat. This would have limited light, outlook and privacy to the ground floor flat. The relocation of the door overcomes this reason for refusal and there is no loss of amenity arising as a result of this application.

6.4 Character of area and visual appearance

The change to the appearance of the building is minimal and is in-keeping with the design and character of the property. The visual appearance of an additional door would not be harmful to the character of the area. The layout will become more traditional as residents will no longer need to access one of the flats from the rear garden.

7. Summary

7.1 The alteration is small scale and not judged to be harmful to the character of the area or the existing building.

8. Conclusion

8.1 The application is recommended for approval subject to conditions.

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), 4. (f), 6. (c), 7. (a).

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 - 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)

CS13 Fundamentals of Design

City of Southampton Local Plan Review – (March 2006)

SDP1 Quality of Development
SDP7 Urban Design Context
SDP9 Scale, Massing & Appearance

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)

Other Relevant Guidance

The National Planning Policy Framework 2012

14/01419/FUL



Scale: 1:1,250

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