

Planning, Transport & Sustainability Division
Planning and Rights of Way Panel (East) 15th September 2015
Planning Application Report of the Planning and Development Manager

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| Application address: 63 Wilton Avenue | | | |
| Proposed development: Erection of a single storey rear extension to create one x studio flat with associated bin and cycle storage | | | |
| Application number | 15/01393/FUL | Application type | FUL |
| Case officer | Laura Grimason | Public speaking time | 5 minutes |
| Last date for determination: | 01/09/2015 | Ward | Bargate |
| Reason for Panel Referral: | Five letters of objection have been received. | Ward Councillors | Cllr Bogle Cllr Noon Cllr Tucker |

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| Applicant: Mr Gregory Hadjikyriacou | Agent: Architecture & Planning Southampton - FAO Mr Tom White |
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| Recommendation Summary | Conditionally approve |
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| Community Infrastructure Levy Liable | Yes |
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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 the development plan as required by 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, SDP9, H1 and H7 of the City of Southampton Local Plan Review (as amended 2015) and CS4, CS5, CS13 and CS19 of the Local Development Framework Core Strategy Development Plan Document (as amended 2015). Also of relevance is the Residential Design Guide (2006) and the Parking Standards SPD (2011).

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

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| Recommendation in Full | Conditionally approve |
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1.0 The site and its context

1.1 The application site is a two storey, detached property located on the northern side of Wilton Avenue. Whilst originally constructed as a single dwelling house, this property is now divided into two self-contained flats (one x two bedroom flat at ground floor level and one x two bedroom flat at first floor level). There is a communal garden located to the rear and a small forecourt to the front of the property. The property is located within a predominantly residential area characterised by a range of dwelling houses and flats.

2.0 Proposal

2.1 Permission is sought for the creation of a studio flat to the rear of this property. This would entail the construction of a single storey rear extension projecting outwards from the rear elevation of the main building by approximately 6.5m, measuring approximately 4.8m in width and with a dual pitched roof measuring approximately 3.6m in height (2.6m to the eaves).

2.2 The additional unit would have a floor space of approximately 24 sq. m and would comprise a studio unit (kitchen / living room / bedroom) with a separate bathroom. Access to the unit would be via the side elevation of the proposed unit whilst an additional set of double doors would be established within the rear elevation.

2.3 The proposed unit would have its own small garden measuring approximately 17.3 sq. m and would be located directly outside the rear elevation of the property.

2.4 A rear amenity area of approximately 37 sq. m would remain for the existing two flats. Bike and refuse storage for the proposed unit would be located within this area.

2.5 The scheme has been amended since originally submitted to provide an area of defensible space immediately next to the dwelling and to introduce an obscure glazed window to the side of the unit.

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 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.

4.0 Relevant Planning History

- 4.1 In 2015, an application (ref.15/00773/FUL) for this site was withdrawn. This sought permission for the erection of a two storey rear extension to create two x studio flats with associated bin/cycle storage.

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 (13/07/2015). At the time of writing the report **five** representations have been received from surrounding residents. The following is a summary of the points raised:

- 5.1.1 *This proposal would constitute the overdevelopment of the site.*

Response:

There is sufficient room on site to comfortably accommodate the proposed development and associated amenity space, cycle and refuse storage. Through negotiation with the applicant, a scheme has been produced which will provide an acceptable residential environment for future occupiers whilst protecting the residential amenities of occupiers of the existing flats and no.63 and at other neighbouring properties.

- 5.1.2 *The proposed building would constitute an unneighbourly development which would lead to a loss of light, overbearing impact and increased sense of enclosure for adjoining occupiers. It would also result in increased noise and disturbance.*

Response:

The proposed building would be relatively modest in scale and would be sited appropriately to the rear of the property. The nearest window within the adjoining property at no.61 is obscure glazed and does not appear to serve a habitable room. As such, outlook from and access to light for this room are not considered to be compromised as a result of this proposal. An acceptable separation distance would be retained between the neighbouring property at no.65 to ensure no loss of amenity would occur. The proposed building would not be positioned in front of any windows serving habitable rooms within the existing flats at no.63 and a good sized communal amenity area would remain for existing residents.

- 5.1.3 *This proposal would exacerbate existing parking pressure within the surrounding area.*

Response:

The application site is located in close proximity to the city centre and is considered to benefit from good access to public transport services and local facilities. This is considered to be sufficient to justify a lack of car parking to serve the proposed residential unit.

- 5.1.4 *Insufficient amenity space would be provided for existing residents and for residents of the proposed flat.*

Response:

The amount of amenity space provided for both existing residents and future residents is considered to be sufficient in this location and would provide adequate space for sitting out, hanging out washing etc. Whilst it is acknowledged that the amount of amenity space provided is below the required levels set out in the Residential Design Guide SPD, this is only marginal.

- 5.1.5 *This proposal would set a harmful precedent for similar development in this area.*

Response:

Any future applications for similar schemes would be assessed on their individual planning merits.

- 5.1.6 *This proposal would result in harm to an existing tree within the rear garden of the number 67 Wilton Avenue.*

Response:

The tree within the rear garden of no.67 is not protected by a TPO and is not located within a Conservation Area. Furthermore, the proposed building would be located at an acceptable distance from this tree to ensure that no harm to it would occur.

- 5.1.7 *The applicant has failed to meet the requirements of the Solent Disturbance Mitigation Project.*

Response:

The applicant has made a financial contribution to the SDMP and has therefore, met the requirements of this.

Consultation Responses

- 5.2 **SCC Highways** - No highway objections. This property is located in a highly sustainable area in close walking distance of all amenities, with the Bedford Place local centre nearby, and the city centre a further short walk. Bus stops are located nearby, and the city's' main railway station is within easy walking distance. It is therefore easy to live in this location without the need to own a car. Cycle storage facilities are included with this proposal. However, it is not possible to know if any future occupant may have a car, and it is likely that there will be car borne visits to the property. The surrounding roads are covered by residents permit parking zone, and if this new dwelling is provided with a separate address, the occupant will have an entitlement to apply for a permit. Parking during the evenings is under pressure, but this does not cause a highway safety problem, and I therefore raise no objection. The residents will be responsible for moving bins to the front of the property on collection day, and returning them afterwards.
- 5.3 **SCC Conservation** – The site is located within an area of medieval fields. While groundworks may potentially damage archaeological deposits these are likely to be associated with agricultural activities. No archaeological conditions are recommended.

- 5.4 **SCC Sustainability Team** – No objection. Conditions are recommended in order to ensure compliance with policy CS20 by securing energy and water efficiency measures.
- 5.5 **SCC CIL Officer** – No objection. The development is CIL liable as the proposal creates an additional self-contained residential unit facilitated by an extension to the residential building. The charge will be levied at £70 per sq. m on the Gross Internal Area of the extension.
- 5.6 **Southern Water** – No objection. Recommend informatives are added to the consent to make the developer aware of requirements to connect to the public sewer and the need to protect any public sewer during construction.

6.0 Planning Consideration Key Issues

6.1 The determining issues for this proposal relate to whether the proposed residential scheme is acceptable in principle; whether the proposal would provide an acceptable residential environment for future occupiers; whether the proposed extension would be acceptable in design terms; whether the proposed scheme would be acceptable in terms of residential amenity; whether the proposal would be acceptable in terms of its highways impact; and whether the proposed scheme would be acceptable in terms of habitats and nature conservation. Other policy considerations relate to car and cycle parking, refuse storage and SPA mitigation.

6.2 Principle of Development

6.2.1 Core Strategy policy CS4 states that: ‘An additional 16,300 homes will be provided within the City of Southampton between 2006 and 2026’. This proposal would contribute to the achievement of this target by providing an additional residential unit within the city.

6.2.2 Core Strategy policy CS5 outlines housing density levels which will be acceptable in different parts of the city. The application site falls within Band 6 of the Public Transport Accessibility Levels (PTAL) map and CS5 states that high densities of over 100 dwellings per hectare (dph) will be considered acceptable in such areas. The site area (including the existing property) is approximately 0.0233 ha. Establishing an additional 2 dwellings on this site would result in a density of approximately 172 dph. This accords with the density range set out in policy CS5. The proposal would make good use of previously developed land, within an accessible location to provide further residential accommodation. The principle of development is, therefore, acceptable.

6.3 Quality of the Residential Environment

6.3.1 Saved policy SDP1 of the City of Southampton Local Plan Review (adopted March 2015) 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’.

6.3.2 Saved policy H7 of the City of Southampton Local Plan Review (adopted March 2015) states that: ‘Planning permission will only be granted for residential

development provided that the highest standards of quality and design are applied’.

- 6.3.3 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’.
- 6.3.4 The main outlook and access to light for the proposed unit would come from a partially obscure glazed window within the side elevation and a set of double doors within the rear elevation, opening out into the private amenity area. Given the size of the proposed unit and considering that it would comprise a studio flat with the main habitable accommodation in one room, this is considered to be acceptable. Sufficient access to light would be provided by the side window whilst an acceptable outlook would be provided by the double doors within the rear elevation.
- 6.3.5 With regards to privacy, the proposed side window would be obscure glazed with a clear glazed panel above. This would ensure that residents of the existing two flats would not be able to see into the proposed unit when accessing the rear amenity area. With regards to the double doors within the rear elevation, the provision of a small, private garden area for residents of the proposed unit only, would ensure that adequate privacy would be provided for the main habitable accommodation of the proposed dwelling. Having regard to this, it is considered that the proposed unit would benefit from an adequate level of privacy.
- 6.3.6 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’. Paragraph 4.4.3 continues to state that: ‘Private amenity space should be fit for the purpose intended’. Part 2 of this document (page 28) states that residential flats should have access to a minimum of 20 sq. m of amenity space (a total of 60 sq. m for this property taking into account the two existing flats and the two proposed flats).
- 6.3.7 The proposed unit would benefit from its own rear amenity area measuring approximately 17 sq. m. Whilst it is acknowledged that this is less than the required 20 sq. m, it is only slightly less and is considered to be sufficient to satisfy the needs of future occupiers given the modest nature of the studio unit. Sufficient space would be provided for sitting out, hanging out washing etc. The proposed unit would also be located in close proximity to city centre parks and open space.
- 6.3.8 As a result of this proposal, a shared amenity space of approximately 37 sq. m would remain to serve the existing two flats. Again, this is only marginally below the 40 sq. m requirement. As such, it is not considered that the proposed unit would result in an unacceptable loss of amenity space for the existing units. Having undertaken a site visit to the property, the amenity space at the moment is overgrown and poorly maintained. It doesn’t appear to be well used. This scheme would secure an improvement to this rear amenity area to the benefit of the residents of these existing residential units.

6.3.9 Refuse storage would be provided within a covered store in the communal amenity area serving the existing two units. This would provide refuse storage for all units on site. No objection to this has been raised by the Highways team and this is considered to be an acceptable arrangement for the proposed unit.

6.4 Design

6.4.1 The proposed building would be relatively modest in scale. It would be sited to the rear of the existing property and would not therefore, be overly visible from the wider street scene. It would be constructed using materials to match those of the existing property and would be in keeping with the established style in the surrounding area. A number of properties within the surrounding area have established extensions of a similar size and the proposed building is therefore, considered to be in keeping with the character of the surrounding area. Having regard to this, it is considered that the proposed building is acceptable in design terms.

6.5 Residential Amenity

6.5.1 The proposed building would project outwards from the rear elevation of the existing property and would be located adjacent to the common boundary between the application site and the adjoining property at no.61 Wilton Avenue. At a total height of approximately 3.6m and with an eaves height of approximately 2.8m, this is considered to be a reasonably sympathetic addition in this location. There is a small, obscure glazed window within the rear elevation of this adjoining property which doesn't appear to serve a habitable room. An additional window within the rear elevation does appear to serve a habitable room however is located at a sufficient distance away from the proposed building to ensure it would not be adversely affected. Having regard to this, the proposed scheme is not considered to be detrimental to residential amenity in terms of loss of light, loss of outlook or overbearing impact.

6.5.2 An acceptable separation distance would be retained between the proposed building and the neighbouring property at no.65 Wilton Avenue to ensure that no loss of amenity would occur.

6.5.3 With regards to noise and disturbance, this proposal would establish an additional dwelling within this area. It would however, due to its relatively modest scale, not increase occupancy on site to such a degree that would give rise to additional noise or disturbance detrimental to residential amenity.

6.6 Highways Safety, Car and Cycle Parking

6.6.1 The application site is located just outside the city centre and is considered to benefit from excellent access to public transport services and local facilities. As discussed above, it is located within band 6 of the Public Transport Accessibility Levels map in the Core Strategy – the highest accessibility level within the city.

6.6.2 The Parking Standards SPD outlines maximum parking standards for new residential development in the city. No parking is proposed to serve the additional unit. According to this document, the proposed unit has a maximum parking requirement of 1 space. No parking is proposed to serve the additional

unit. However, given the proximity of the application site to the city centre, this is considered to be acceptable.

6.6.3 The Parking Standards SPD also outlines minimum cycle parking standards for new residential development in the city. For this scheme, a cycle parking requirement of 1 long stay cycle parking space would apply. The submitted drawings indicate that cycle parking provision would be provided to the rear of the property, within communal amenity area serving the existing two flats. This is considered to be sufficient and a condition is recommended to secure the provision of this storage.

6.7 Impact on Protected Habitats

6.7.1 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 £172 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. This application has complied with the requirements of the SDMP (a receipt for £174 and completed SDMP form were received on the 28th August) and meets the requirements of the Conservation of Habitats and Species Regulations 2010 (as amended).

7.0 Summary

7.1 All material considerations have been considered and as a result, this proposal is considered to be acceptable.

8.0 Conclusion

8.1 As such, the proposal is judged to have an acceptable impact and, therefore, can be supported for conditional 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), 2(f), 6(a), 6(b), 7(a), 7(j).

LG for 15/09/15 PROW Panel

PLANNING CONDITIONS

1. 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).

2. 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.

3. 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.

4. APPROVAL CONDITION - Cycle Storage [Performance Condition]

Before the flat hereby approved is first occupied, the cycle storage shall be provided in accordance with the plans hereby approved and thereafter retained and made available for that purposes.

Reason:

To encourage cycling as an alternative form of transport.

5. APPROVAL CONDITION - Energy & Water [Pre-Commencement Condition]

Before the development commences, written documentary evidence demonstrating that the development will achieve at minimum 19% improvement over 2013 Dwelling Emission Rate (DER)/Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and;

105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of a design stage SAP calculations and a water efficiency calculator 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).

6. APPROVAL CONDITION - Energy & Water [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 19% improvement over 2013 Dwelling Emission Rate (DER)/ Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and;

105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of final SAP calculations and water efficiency calculator and detailed documentary evidence confirming that the water appliances/fittings have been installed as specified 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).

7. APPROVAL CONDITION - Obscure Glazing [performance condition]

Before the flat hereby approved is first occupied, the window in the side elevation of the extension shall be obscurely glazed and fixed shut up to a height of 1.7 metres from the internal floor level. The window shall thereafter be retained in this manner.

Reason:

To protect the residential amenities of occupiers of the proposed unit.

8. APPROVAL CONDITION – Landscaping [pre-commencement condition]

Prior to the commencement of the development hereby approved a landscaping scheme and implementation timetable shall be submitted to and approved by the Local Planning Authority in writing. The scheme shall include details of the planting; details of trees to be retained and details of the boundary treatment to the garden area of the flat hereby approved. 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.

Any trees, shrubs, seeded or turfed areas which die, fail to establish, are removed or become damaged or diseased, within a period of five 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 five years from the date of planting.

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

9. APPROVAL CONDITION – Refuse Storage [performance condition]

Before the flat hereby approved is first occupied, the storage for refuse and recycling containers shall be provided in accordance with the plans hereby approved and thereafter retained as approved.

Reason:

In the interest of the visual amenity of the area and to secure an acceptable residential environment.

Note to Applicant - Community Infrastructure Liability (Approval)

You are advised that the development appears liable to pay the Community Infrastructure Levy (CIL). Please ensure that you assume CIL liability prior to the commencement of the development (including any demolition works) otherwise a number of consequences could arise. For further information please refer to the CIL pages on the Council's website at: <http://www.southampton.gov.uk/s-environment/policy/community-infrastructure-levy-guidance.aspx> or contact the Council's CIL Officer.

Note to Applicant – Southern Water

A formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

Due to changes in legislation that came into force on the 1st October 2011 regarding the ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served and potential means of access before any further works commence on site'.

The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk'.

POLICY CONTEXT

Core Strategy - (as amended 2015)

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| CS4 | Housing Delivery |
| CS6 | Housing Density |
| CS13 | Fundamentals of Design |
| CS15 | Affordable Housing |
| CS16 | Housing Mix and Type |
| CS18 | Transport: Reduce-Manage-Invest |
| CS19 | Car & Cycle Parking |
| CS20 | Tackling and Adapting to Climate Change |
| CS22 | Promoting Biodiversity and Protecting Habitats |

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

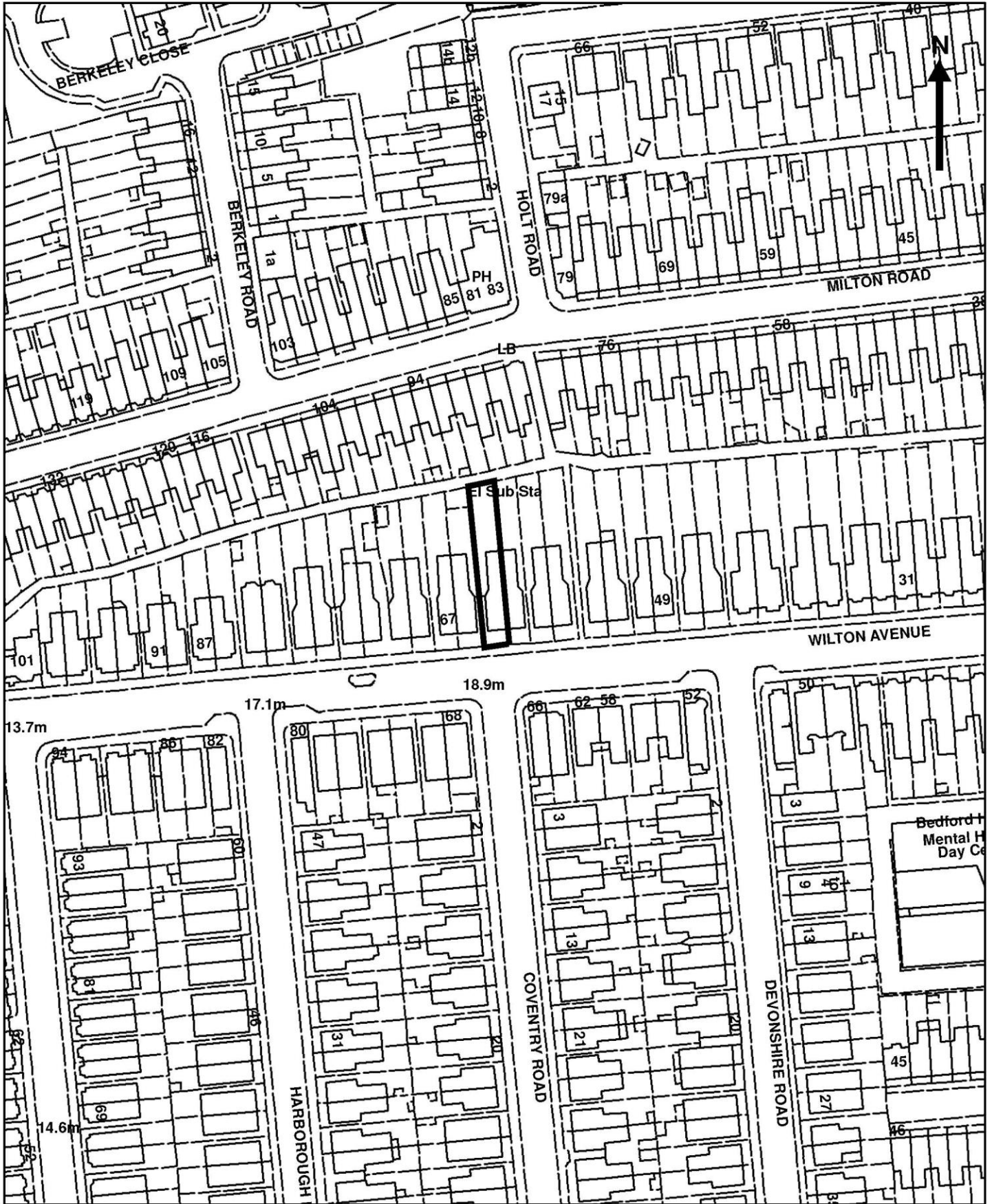
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| SDP1 | Quality of Development |
| SDP5 | Parking |
| SDP6 | Urban Design Principles |
| SDP7 | Urban Design Context |
| SDP8 | Urban Form and Public Space |
| SDP9 | Scale, Massing & Appearance |
| SDP10 | Safety & Security |
| SDP11 | Accessibility & Movement |
| SDP12 | Landscape & Biodiversity |
| SDP16 | Noise |
| 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)



Scale: 1:1,250

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