

Southampton City Planning & Sustainability
 Planning and Rights of Way Panel meeting 20th July 2010
 Planning Application Report of the Head of Division

Application address: 6 Hartley Avenue, Southampton			
Proposed development: Single storey rear extension and two storey side extension to existing 4 bed HMO (C4 Use) to provide two additional bedrooms.			
Application number	10/00566/FUL	Application type	Outline (LDD 3.8.10)
Case officer	Steffan Thomas	Public speaking time	5 minutes

Applicant: Mr B Punia	Agent: BPS Design Consultants Ltd
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Recommendation Summary	Conditionally Approve
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Reason for Granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. The scale and massing of the extensions are proportionate to the scale and appearance of the existing dwelling and its neighbours. The proposal is not considered to harm the residential amenity of neighbouring dwellings. The property is currently in use as a C4 dwelling. The addition of two bedrooms within the property accords with the requirements of the property remaining in use as a C4 dwelling. 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 & Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

“Saved” Policies – SDP1, SDP5, SDP7 and SDP9 of the City of Southampton Local Plan Review - Adopted March 2006 as supported by the adopted LDF Core Strategy (2010) policy CS13, and the Council’s adopted Residential Design Guide (2006).

Appendix attached			
1	Development Plan Policies		

Recommendation in Full

That the application be approved subject to the attached suggested planning conditions.

1. The site and its context

1.1 This application relates to a detached two storey house located on the eastern side of Hartley Avenue approximately half way between the University of Southampton and the junction with Blenheim Gardens. The property has a large gable end and bay windows facing the highway which is typical of the predominant style of the area. On-site parking is provided by virtue of a driveway that provides vehicular access to a garage at the rear of the property.

1.2 The area is suburban in character and appearance and consists mainly of family houses. However, as a result of its proximity to the University the area has a high concentration of houses in multiple occupancy.

1.3 The existing building is in use as a C4 rental property currently housing 4 tenants. It has been confirmed that this use was in operation prior to the 6th April 2010 and as such the owner can lawfully house up to 6 unrelated tenants at any one time, without requiring any further planning consents.

1.4 The design and scale of the extension are very similar to those proposed on the adjacent property at 4 Hartley Avenue (10/00497/Ful) which is also to be considered on this Panel Agenda.

2. Proposal

2.1 Planning permission is sought for a two storey side and single storey rear extension.

2.2 Full planning permission is sought for a 1.2m x 2.8m two storey side extension and a 4m ground floor rear extension across the width of the property. This is to facilitate two additional bedrooms and a shower room.

2.3 The single storey rear extension proposes a depth of 4m and a maximum height of 4m. Windows are concentrated to the rear of the site, with external side access retained.

3.0 Relevant Planning Policy

3.1 The Development Plan for Southampton currently comprises the South-East Plan: Regional Spatial Strategy (May 2009), 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 policies in the Core Strategy and City of Southampton Local Plan Review seek to improve the quality of life of the City’s citizens through good design. Policies CS13, SDP1, SDP7 and SDP9 are relevant as they expect developments to be of a high quality, protect the amenities of the occupiers of adjacent land and respect the surroundings in terms of visual impact.

3.3 Policy CS16 seeks to control the number and location of Houses in Multiple Occupation where planning permission is required.

4.0 Relevant Planning History

4.1 There is no relevant planning history on this development site.

4.2 Members should be aware that the adjacent site at 4 Hartley Avenue is also the subject of a similar application to be considered on this Panel agenda (10/00497/Ful).

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 also undertaken which included notifying adjoining landowners. When it became apparent that this property was a C4 House in Multiple Occupation as supposed to a C3 dwellinghouse the description was amended and adjoining landowners re-notified. At the time of writing this report **8** representations have been received from surrounding residents.

5.2 **Letters of objection** – The eight letters which have been received in connection to this proposal have raised objections for the following reasons:

Principle of C4 extension

- Extensions would result in the irreversible conversion of a family house to an HMO;
- Provision for 6 students is an over intensive use of the site in an area to be nominated as an Area of Restraint;

Response

The property is already a C4 HMO and subject to no more than 6 people living at the property no further planning permission regarding the use of the property is required. The application should therefore be considered on the merits of the physical form of the extension and it's impact on the character of the area and the amenities of adjacent occupiers.

Residential Amenity

- Loss of light to the neighbouring dwellings;
- Privacy concerns;
- Replacement of garden area is a loss of amenity;

Response

To the rear, the single storey extension concentrates all windows within its rear elevation. There are no windows proposed within the side elevation of the two storey extension and a 1.8m high existing boundary treatment ensures that the privacy of neighbouring dwellings will not be lost. The resultant footprint of the building occupies less than 50% of the site and sufficient garden space is retained for the future occupants of the property.

Design

- Side extension would create a terracing effect which would further alter the character of the street;
- Extensions are disproportionate in bulk and size;
- Overdevelopment of the site;

Response

The proposed extension is subordinate to the existing dwelling and has been assessed as not adversely affecting the character of the street scene. A 1.2m gap is retained between the two storey side extension and the boundary with 2 Hartley Avenue. This, coupled with the significant set back of the extension from the front build line ensures that a terracing effect does not occur and the house remains as a detached property.

Parking

- Loss of driveway putting additional pressure for on-street parking;
- There is already insufficient parking for existing residents;

Response

'Saved policy' SDP5 advocates maximum residential parking standards. The application site is located within a low accessibility area, and as such the maximum number of car parking spaces for the property is 2. Whilst the proposal does result in the loss of access to a garage at the rear of the site, there is the opportunity for 1 off street parking space to the property's frontage. Furthermore, on street parking will be controlled by the residents parking scheme.

Environment and Ecology

- Impact upon the local wildlife as a result of the loss of garden space, particularly bats which are protected;
- More intensive HMO would exacerbate existing environmental issues relating to the student population;

Response

The council's ecologist has been consulted on the proposals and raises no objection.

5.3 **SCC Highways** – Raised no objections.

5.4 **SCC Ecology** – Building has a low potential for bats and a bat survey wouldn't be justified.

6.0 Planning Consideration Key Issues

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

- i. Principle of C4 extension
- ii. Design and Residential Amenity;
- iii. Parking;
- iv. Ecology.

6.2 Principle of C4 Extension

6.2.2 The property is currently C4 House of Multiple Occupation. As a result, the occupation of this property by up to 6 individuals does not in itself require any further planning consent. The application has therefore been considered on the merits of the physical form of the extension and it's impact on the character of the area and the amenities of adjacent occupiers.

6.2.3 Should the owner of the property wish to house more than 6 individuals within the property this would require an application for a change of use which would be considered on its merits.

6.2 Design and Residential Amenity

6.2.1 The impact to the neighbouring residential amenity as a result of the rear extension is not considered to have any harmful impact to either neighbour regarding outlook, light or privacy.

At the national level, the guidance contained within PPS1 and PPS3 require new developments to be appropriate to their context and integrate into the existing urban environment. In particular, paragraph 13 of PPS3 requires good design which makes “places better for people”. The policies in the Local Plan Review seek to improve the quality of life of the City’s citizens through good design. SDP1, SDP7, SDP9 in particular expects developments to be of a high quality, protect the amenities of the occupiers of adjacent land and respect the surroundings in terms of visual impact.

The Residential Design Guide Supplementary Planning Document expands on this by setting parameters for new developments to ensure that access to natural light, outlook and privacy is not adversely affected by development proposals (paragraphs 2.2.11 to 2.2.21 refers). In addition, paragraphs 2.3.1-2.3.5 advocate that extensions should be subordinate to the original dwelling, not detract from the character and rhythm of the street and avoid a terracing effect in areas characterised by semi or detached housing.

The proposed two storey side extension is set back by 3.6m from the front build line of the house and set well below the existing roof ridge. Its subordinate design ensures it will not harm the existing appearance of the dwelling or the character of the Hartley Avenue street scene.

A 1.2m side access is to be retained to allow direct access from the front of the site to the rear. As such, a terracing effect will not occur and the detached nature of the property will be retained.

The single storey extension will not affect outlook, light or privacy to neighbouring dwellings. A large garden is retained for use by the residents, with the overall footprint of the building occupying less than 50% of the total area of the site.

The proposed extension is typical of the type of extension one would find on detached and semi-detached properties throughout the city and could not reasonably be considered an overdevelopment of the site.

6.5 Parking

6.5.1 This scheme would involve the construction of a two-storey side extension on the existing driveway. This would result in the loss of vehicular access to the rear of the property and the loss of a potential car parking space. This proposal is in a low accessibility area and therefore the maximum number of car parking spaces for this property, as advocated in SDP5, is two. Should this extension be built there would still be space on the remaining drive to park two vehicles. Moreover, on street parking is controlled by the residents parking scheme.

6.5.2 The provision of parking is in accordance with SDP5 and is considered sufficient for this property.

6.6. Ecology

6.6.1 The ecology officer has judged this building to have a low potential for bat roosts and that a bat survey wouldn't be justified. As such the impact of this proposal on wildlife is considered minimal.

7.0 Summary

7.1 The proposed extension is considered to meet the requirements of Local Development Framework Core Strategy Policy CS13 and saved policies SDP1, SDP7 and SDP9 of the City of Southampton Local Plan Review as supported by the relevant sections of the Residential Design Guide and will not harm existing residential amenity.

8.0 Conclusion

8.1 This application has been assessed as being acceptable both to residential amenity and in design terms. The application is recommended 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), 2(c), 2(d), 2(e), 4(s), 6(a), 6(c), 7(a), 9(a), 9(b) and PPS3 (2010)

ST for 20.07.10 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 - 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 - 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 any dwelling house hereby permitted without the prior written consent of the Local Planning Authority:

Class B (roof alteration),

Class E (curtilage structures), including a garage, shed, greenhouse, etc.,

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.

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 - 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.

Notes to Applicant

Note to Applicant – Pre-Commencement Conditions

Your attention is drawn to the pre-commencement conditions above which require the full terms of the condition to be satisfied before development commences. In order to discharge these conditions you are advised that a formal application for condition discharge is required. You should allow approximately 8 weeks, following validation, for a decision to be made on such an application. It is important that you note that if development commences in without the condition having been formally discharged by the Council in writing, any development taking place will be unauthorised in planning terms, invalidating the Planning Permission issued. Furthermore this may result in the Council taking enforcement action against the unauthorised development. If you are in any doubt please contact the Council's Development Control Service.

Note to Applicant – Performance Conditions

Your attention is drawn to the performance conditions above which relate to the development approved in perpetuity. Such conditions are designed to run for the whole life of the development and are therefore not suitable to be sought for discharge. If you are in any doubt please contact the Council's Development Control Service.

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
SDP5 Parking
SDP9 Scale, Massing & Appearance

Supplementary Planning Guidance

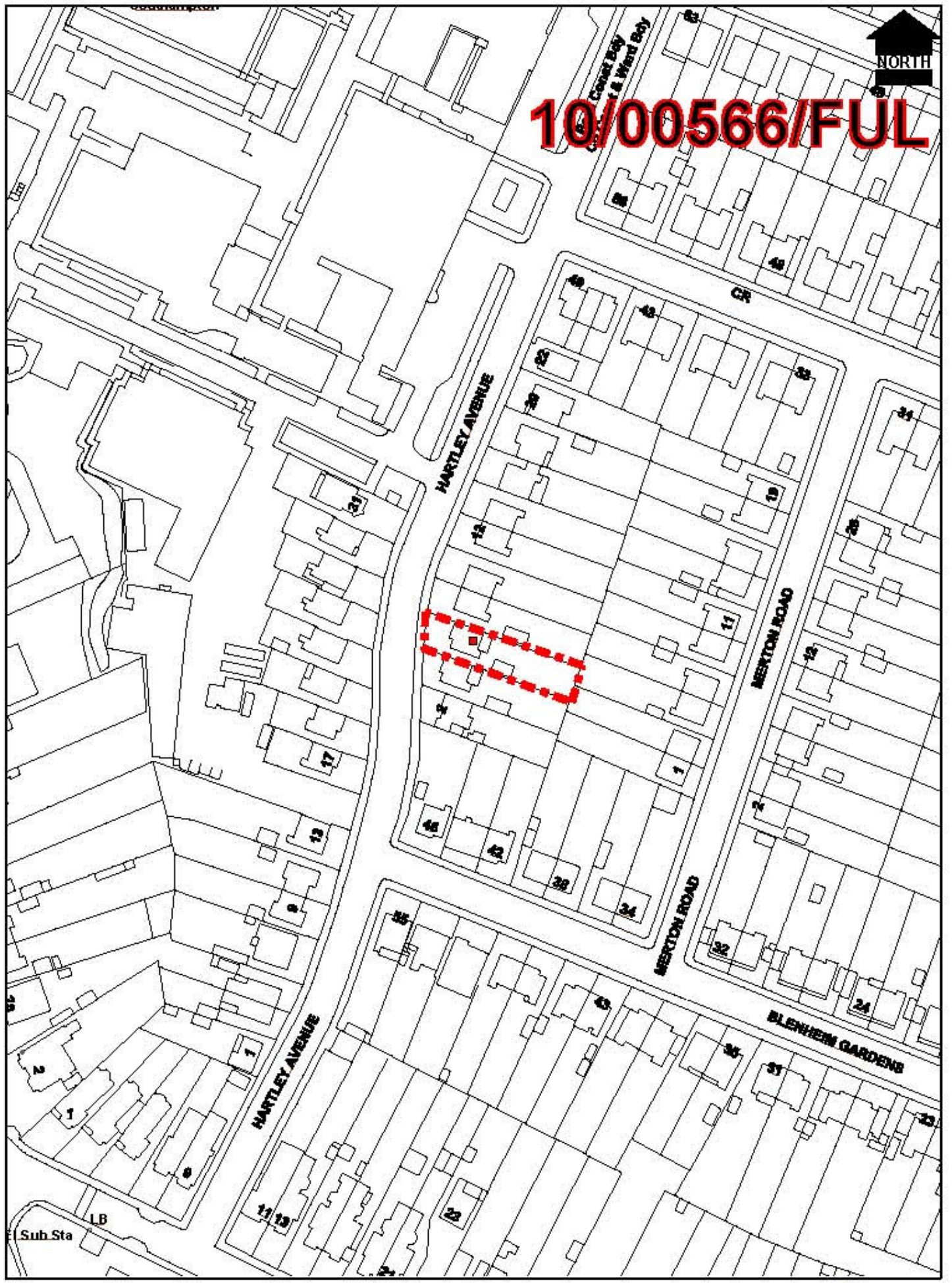
Residential Design Guide (Approved - September 2006)

Other Relevant Guidance

PPS1 Delivering Sustainability Development (2004)
PPS3 Housing (2010)



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Scale : 1:1250

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