

**Planning, Transport & Sustainability Division  
 Planning and Rights of Way Panel - 7 June 2016  
 Planning Application Report of the Planning and Development Manager**

<b>Application address:</b> 225 Burgess Road			
<b>Proposed development:</b> Change of use from a 5-bedroom house in multiple occupation (HMO, class C4) to a 7-bedroom HMO (description amended following receipt of amended plans)			
<b>Application number</b>	16/00325/FUL	<b>Application type</b>	FUL
<b>Case officer</b>	Stuart Brooks	<b>Public speaking time</b>	5 minutes
<b>Last date for determination:</b>	27.04.2016	<b>Ward</b>	Bassett
<b>Reason for Panel Referral:</b>	Request by Ward Member	<b>Ward Councillors</b>	Cllr L Harris Cllr B Harris Cllr Hannides
<b>Referred by:</b>	Cllr Beryl Harris	<b>Reason:</b>	Out of Character Residential amenity

<b>Applicant:</b> Mr Paul Williams	<b>Agent:</b> GM Design
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<b>Recommendation Summary</b>	<b>Conditionally approve</b>
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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, SDP9, H4 of the City of Southampton Local Plan Review (Amended 2015) and CS13, CS16 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015) as supported by the guidance set out in the relevant sections of the HMO SPD (amended May 2016).

<b>Appendix attached</b>			
1	Relevant Policies	2	Details of application 15/02373/FUL
3	21 Spring Crescent appeal decision		

**Recommendation in Full**

**Conditionally approve**

## **1.0 The site and its context**

- 1.1 This application site lies within the ward of Bassett. The surrounding area is predominantly characterised as a suburban residential area with properties in a mixed style. The site is located on the southern edge of the Flowers Estate on the corner with Dahlia Road. Immediately adjacent lies a property converted into 5 flats at 227 Burgess Road. Dahlia Road does not have an active building frontage as it is only fronted by side garden boundary walls on either side. Dahlia Road and the surrounding streets in the Flower Estates is covered by a parking permit residents scheme (8am-6pm Monday to Friday), and no parking is permitted at any time on this stretch of Burgess Road.
- 1.2 The existing property is a semi-detached two-storey dwelling (5 bedrooms). The property has been established as a HMO before March 2012 (prior to the introduction of the Article 4 direction to remove C3 to C4 permitted development rights). Existing communal facilities comprise of a lounge and kitchen/dining room on the ground floor, as well as shared bathrooms on the ground and first floor. The occupiers also have access to a private garden at the rear (110 sqm in area).

## **2.0 Proposal**

- 2.1 It is proposed to increase the number of bedrooms from 5 to 7 by reconfiguring the internal layout of the existing property. The large communal lounge space (55sqm) will be reduced to a size of 24.5sqm, to be partly replaced by 2 additional bedrooms at the front, as well as transferring the bathroom to a more useable position for the tenants. Additional kitchen facilities will be provided in place of the existing bathroom on the ground floor. In effect, this will change the use of the property from a C4 small HMO (established for up to 6 persons to occupy without any planning permission) to a large HMO for up to 7 persons.
- 2.2 Since the submission of this application, the applicant has reduced the number of bedrooms from 8 to 7, converting the 8<sup>th</sup> bedroom into further communal space (as shown on the amended plan). Bin and cycle storage facilities would also be provided in the rear and side garden.

## **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 in **Appendix 1**.
- 3.2 The National Planning Policy Framework (NPPF) came into force on 27<sup>th</sup> 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 The Houses in Multiple Occupation SPD was originally adopted in March 2012. During the time of this application, a revised SPD was adopted on 4<sup>th</sup> May 2016. It provides supplementary planning guidance for policy H4 and policy CS16 in

terms of assessing the impact of HMOs on the character and amenity, mix and balance of households of the local area. The revised SPD still sets a maximum threshold of 10% in the ward of Bassett for the total number of HMOs within an assessment area of a 40m radius.

- 3.4 There will be no physical increase in the concentration of new HMO dwellings within the assessment area, so the 10% threshold test is not applicable in this case. With particular regard to the increase in occupation of the existing C4 HMO by 1 person to a large HMO, the planning application is assessed against policy H4 and CS16 in terms of balancing the need for multiple occupancy housing against the impact on the amenity and character of the local area.
- 3.5 The revised SPD (section 4.8) recognises that the intensification of existing small HMOs, by increasing the number of bedrooms to become large HMOs, can have a harmful impact on neighbouring occupiers. This is due to increased comings and goings, especially those associated with the independent lifestyle pattern of occupiers living individually of one another. It is also recognised that since the introduction of the larger HMOs sui generis class, that this has led to negative impacts on local communities in areas with a high proportion of HMOs. As such, careful consideration of the impacts on the local community has been taken into account.
- 3.6 Also of relevance is the draft Bassett Neighbourhood Plan (passed by referendum 25<sup>th</sup> February 2016) which confirms that proposals should not result in an over-concentration of HMO dwellings in any one area of the Ward, to an extent that would change the character of the area or undermine the maintenance of a balanced and mixed community in terms of dwellings.

#### **4.0 Relevant Planning History**

- 4.1 The plot has been subdivided to the rear to form a new development plot, although application 15/02299/FUL was refused this year to erect a new 2 storey building to the rear of the site. Permission was previously refused to convert the existing property into a separate 2 bed flat whilst retaining the existing small HMO (ref no. 15/02373/FUL – refer to **Appendix 2** for the plans and decision notice).

#### **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 (18.03.16). At the time of writing the report **3** representations have been received, consisting of an objection from the East Bassett Residents Association and 2 Ward Councillors. The following is a summary of the points raised:
- 5.1.1 **Separate from this property and its proposed plans, there was originally an application (15/02299/FUL) for a two-storey building comprising 3 x 1-bed flats and garage space for 3 cars at the rear of 225 Burgess Road refused at the same time as 15/02373/FUL. There may arise, therefore, a further application for development on the small area of land to the rear of 225 Burgess Road impacting on the cumulative density on the two parts of what was formerly a single property.**

### Response

Given that the land to the rear has been separated from the existing property, each site is assessed on an individual basis to determine whether the development of the separate plots would cause an over-development of their own plots. If a new application for the redevelopment of the land to the rear is found to be an over intensification of the land, then the Council has powers to refuse this development in its own right. As such, the impact from the cumulative density of the 2 separate developments can be afforded limited weight as material consideration.

- 5.1.2 **The proposed intensification of occupation, by more than 25%, would add to the heavy demographic imbalance of persons aged 18-24 already within the area covered by this Association. Of the properties in Burgess Road, from No. 205 to the junction with Lilac Road, and at its rear in Honeysuckle Road, between 50-60% of the dwellings are estimated to be in HMO occupation (90% students).**

### Response

The number of bedrooms has been reduced from 8 to 7. The affective increase in occupiers would be 1 person as the property is established as a C4 HMO use (allowing up to 6 persons). As such, the introduction of 1 additional person living in the local area is unlikely to arise in a significant change to the balance of the population demographic within the ward (14,500 population approximately from 2011 census). The census data for 2011 shows that Bassett has lowest population density in the city of 32.1 persons per hectare compared to 56.3 per hectare in Portswood.

Notwithstanding this, whilst it is an important planning consideration to maintain a sustainable community in terms of the mix and balance of households, it is outside the remit of planning legislation to control the choices of where individuals from different age groups prefer to live in the city. As such, the concern with regards to unbalancing the age of population can be afforded limited weight as a material consideration.

- 5.1.3 **Cllr Beryl Harris** – Over intensification, after carrying out a local survey working in conjunction with EBRA when you take into consideration this part of Honeysuckle Road which back onto Burgess Road there is a saturation of 60% HMO's. This level of concentration is well over 10% and completely alters the balance of the community and the area.
- 5.1.4 **Cllr Hannides** – This represents an over intensification of HMOs in an area that already exceeds the 10% threshold.

### **Consultation Responses**

- 5.2 **SCC Highways** - No objection subject to conditions.

### Comments

This property falls within a Residents Parking Zone, and as such has a maximum permitted level of 2 parking permits regardless of level of occupancy. There is insufficient information on cycle and bin storage which can be covered by condition is required.

### 5.3 Officer Response

The revised plans have included facilities for bin and cycle storage.

## 6.0 Planning Consideration Key Issues

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

- Principle of Development;
- Impact on the Character and Amenities;
- Impact on Parking and Highway Safety and;
- Standard of Living Conditions.

### 6.2 Principle of Development

6.2.1 The property is occupied as a small HMO (class C4) under permitted development rights that existed prior to 23rd March 2012 and, therefore, the HMO use did not originally require planning permission. To demonstrate that the property was occupied on 23<sup>rd</sup> March 2012 (effective date of Article 4 direction) the applicant has provided a copy of a tenancy agreement (12 month period) dated 1<sup>st</sup> July 2011 showing that 5 tenants occupied the property. Council Tax records corroborate this information.

6.2.2 The 10% HMO threshold applicable to the Bassett Ward is not applicable in this case, as the property is already established as a small HMO (on 23<sup>rd</sup> March 2012) and there will be no increase to the concentration of HMO dwellings within the local area. The provision of an additional bedroom would meet a need for this type of accommodation set out in Policy CS16 of the Core Strategy. The principle of development is, therefore, acceptable as a small HMO use (with up to 6 residents permitted) has already been established. This is subject to whether the intensification of use by 1 person would cause any material harm with respect to the key planning issues below.

6.2.3 Policy CS16 of the Core Strategy confirms that a family home is a dwelling of three or more bedrooms with direct access to sufficient private garden space. Planning Appeal decisions have confirmed that sui generis HMOs can be defined as dwellings. The proposed sui generis HMO includes limited alterations to the property and retains a large element of communal living (shared kitchen, dining, bathrooms and dining facilities) and a communal garden of over 90sq.m in area. As such, it is considered that the property would continue to meet the adopted policy definition of a family dwelling and would not, therefore, result in a net loss of a family dwelling.

### 6.3 Impact on the Character and Amenities

6.3.1 The proposal is considered to meet the policy objective of the HMO SPD by limiting the spread and concentration of new HMOs within the area. There would be no resulting change to the mix and balance of dwellings within the local community as a result. Notwithstanding this, the records held by the Council's licensing team indicate that whilst there is a mix of HMO and single-family dwellings within the vicinity of the site. The 40m radius itself covers only 8 properties, given that it is on the edge of Burgess Road opposite the University Campus, where 4 of these properties are existing HMOs. Although, the 10% threshold has been exceeded the locality is not over-saturated by HMO uses. As

such, it is not considered that the proposed 1 additional occupant would have a significant or harmful effect on the intensity of HMO occupation within the area.

- 6.3.2 The large size of the ground floor communal area lends to the reconfiguration of the ground floor layout in a more efficient manner to provide 2 additional bedrooms. The property itself is considered comfortably large enough to accommodate 7 persons and benefits from a private garden of over 110 sq.m, which exceeds the Council's amenity space standards for semi-detached properties (70 sq.m). The site is also large enough to comfortably accommodate the storage needs of the use. As such, the addition of two occupants is not considered to result in an over-intensive use of the site. The nature of the neighbouring property which has been converted into 5 flats would ensure that the comings and goings of the additional person would not adversely harm the amenities of the neighbouring occupiers.

#### 6.4 Impact on Parking and Highway Safety

- 6.4.1 The Highways Officer has not raised any concerns with regards to the impact on highway safety in terms of access and parking. The Council's parking policies would expect a maximum of 3 off street parking spaces in order to reduce car ownership levels and encourage the use of more sustainable transport. It would therefore be acceptable in policy terms not to have any off street parking at this property. The applicant has not carried out a parking survey to assess the availability of on-street parking. The survey would demonstrate whether there is capacity to accommodate the shortfall in the maximum standards for the 3 off street parking spaces and the additional parking demand generated. A recent appeal decision at 21 Spring Crescent (see **Appendix 3**), following the overturn of a panel decision, has effectively removed our ability to request a parking survey in these circumstances. A lesser provision than the maximum standards can however be justified in this case, as this property is located in a highly sustainable location for access to public transport as well as being in close walking distance to the university for student occupiers, which reduces the need to own a car. In addition, this property falls within a Residents Parking Zone, and as such has a maximum permitted level of 2 parking permits regardless of level of occupancy, so the additional residents would not be eligible for additional parking permits. This would therefore minimise any further pressure to street parking.

- 6.4.2 There would be a requirement to provide secure and covered cycle parking storage (1 space per resident) within the rear garden and this can be secured by condition. As such, the increase in occupancy by 1 person is considered to be acceptable in terms of potential on-street car parking generation.

### 7.0 Summary

- 7.1 In summary, the impact from the intensification of the HMO by an additional 2 bedrooms, giving 1 person more, would not cause harm to the character and amenity of the area with respect to the balance and mix of households and parking pressure, and highway safety of the local area. It should be noted that the Council's HMO licensing regime in this ward is intended to help address the negative amenity impacts associated with HMOs. The improvement of the existing HMO stock also contributes towards meeting an identified housing need in the city for low income and transient households.

## **8.0 Conclusion**

8.1 In conclusion, the proposed development is considered to accord with the Council's guidance and policies and, therefore, is recommended for approval subject to the conditions in the report.

### **Local Government (Access to Information) Act 1985**

#### **Documents used in the preparation of this report Background Papers**

1(a), (b), (c), (d), 2(d), 3(a), 4(f), (qq), 6(a), (b)

### **SB for 07/06/16 PROW Panel**

## **PLANNING CONDITIONS**

### **01. Full Permission Timing Condition**

The development hereby permitted shall begin no 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. Number of occupiers**

The number of occupiers at the property in connection with the change of use hereby permitted shall not exceed 7 persons.

Reason:

In the interests of protecting the residential amenity of local residents from intensification of use and define the consent for avoidance of doubt.

### **03. Refuse storage and collection**

Prior to the first occupation of bedroom 7 hereby approved, the development hereby approved shall be implemented in accordance with the agreed refuse storage details and shall thereafter be retained and maintained as approved.

Reason:

In the interest of visual amenity and for the safety and convenience of the users of the adjacent footway.

### **04. Cycle storage**

Prior to the first occupation of bedroom 7, secure and covered storage for 7 bicycles, including the fitting of concrete floors and locking lugs/form of securing of cycles, shall be provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The storage shall be thereafter retained as approved.

Reason:

To encourage cycling as an alternative form of transport.

### **05. Retention of communal spaces**

Prior to the first occupation of bedroom 7 hereby approved, the improved ground floor communal facilities, namely the lounge area, shall be provided in accordance with the plans hereby approved. The communal rooms shall thereafter be retained for that purposes.

Reason:

In the interests of the living conditions of the occupiers.

**06. 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 - (as amended 2015)

CS16	Housing Mix and Type
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking

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

SDP1	Quality of Development
SDP5	Parking
SDP7	Urban Design Context
H4	Houses in Multiple Occupation

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)  
Parking Standards SPD (September 2011)  
Houses in Multiple Occupation SPD (May 2016)  
Emerging Bassett Neighbourhood Plan (Post Examination 2015)

Other Relevant Guidance

The National Planning Policy Framework (2012)

15/02373/FUL/6878



## DETERMINATION OF APPLICATION

### TOWN AND COUNTRY PLANNING ACT 1990

#### Town and Country Planning (Development Management Procedure) (England) Order 2015

GMDesign  
Mr Mark Hayes  
Plestor House  
Farnham Road  
Liss  
GU33 6JQ

In pursuance of its powers under the above Act and Order, Southampton City Council as the Local Planning Authority, hereby gives notice that the application described below has been determined. The decision is:

#### FULL APPLICATION - REFUSAL

**Proposal:** Conversion of part of the ground floor into a self-contained two bed C3 dwelling

**Site Address:** 225 Burgess Road, Southampton SO16 3HF

**Application No:** 15/02373/FUL

For the following reason(s):

#### 01. REASON FOR REFUSAL - Poor living conditions

The subdivision of the building and site in the manner proposed creates a poor quality residential environment for both the existing dwelling and the proposed flat. This is particularly by reason of the contrived and awkward subdivision of the rear garden space that would result in:

- i. Insufficient private and useable amenity space to serve the retained dwelling, having regard to the Council's minimum standards for semi-detached dwellings, thereby resulting in the loss of suitable accommodation for a family dwelling, for which there is an identified need in the city;
- ii. Poor quality functional and useable garden space for both the retained and proposed dwelling, due to its cramped and awkward shaped and;
- iii. Poor outlook from the ground floor dining room in the retained dwelling and the rear-facing bedroom in the proposed flat due to the proximity and height of the subdividing fence.

As such, the proposal would be not achieve acceptable residential design and would prove contrary to saved policy SDP1(i) and H7 of the Local Plan Review (March 2015 amended) and policies CS5, CS13 (10 & 11) and CS16 of the Southampton Core Strategy (amended March 2015), as supported by the relevant guidance set out in sections 2 and 4 of the Residential Design Guide Supplementary Planning Document (September 2006).

#### 02. REASON FOR REFUSAL - Lack of Section 106 or unilateral undertaking to secure planning obligations.

In the absence of either a scheme of works or a completed Section 106 legal agreement or unilateral undertaking to support the development the application fails to mitigate against its wider direct impact with regards to the additional pressure that further residential development will place

upon the Special Protection Areas of the Solent Coastline. Failure to secure mitigation towards the 'Solent Disturbance Mitigation Project' in order to mitigate the adverse impact of new residential development (within 5.6km of the Solent coastline) on internationally protected birds and habitat is contrary to Policy CS22 of the Council's adopted LDF Core Strategy as supported by the Habitats Regulations.



**Samuel Fox**  
**Planning & Development Manager** 

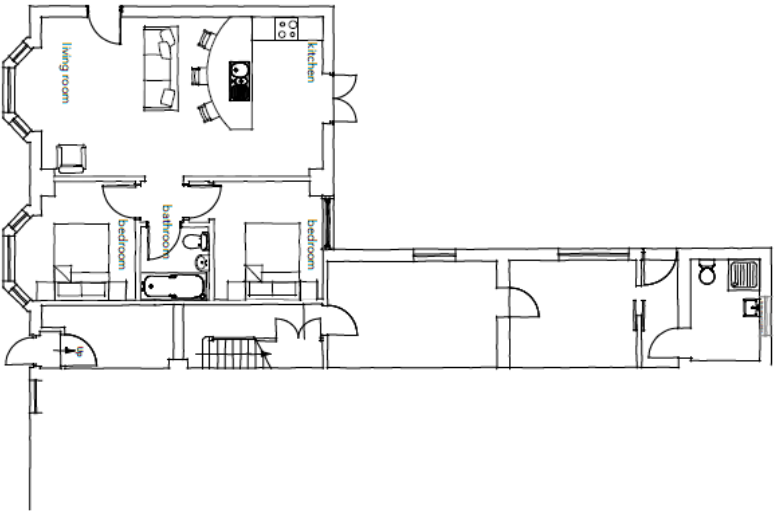
5 February 2016

For any further enquiries please contact:  
**Stuart Brooks**

**IMPORTANT NOTE TO APPLICANT**

This decision has been made in accordance with the submitted application details and supporting documents and in respect of the following plans and drawings:

<b>Drawing No:</b>	<b>Description:</b>	<b>Date Received:</b>	<b>Status:</b>
GM/001	Location Plan	10.12.2015	Refused
GM/002	Block Plan	10.12.2015	Refused
GM/005	Floor Plan	10.12.2015	Refused
GM/006	Elevational Plan	10.12.2015	Refused



ground floor plan

006 Proposed ground floor plan  
Scale: 1:100



REVISION

Mr P Williams

proposed ground floor plan

225, Burgess Road,  
2nd floor,  
SO16 3HF

DATE: 04/06/15  
DRAWN BY: T.M.W.A.S.  
NOV15

GM DESIGN



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## Appeal Decision

Site visit made on 2 February 2016

by **David Murray BA (Hons) DMS MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 07 March 2016

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**Appeal Ref: APP/D1780/W/15/3136741**  
**21 Spring Crescent, Southampton, SO17 2EZ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr A Phangura against the decision of Southampton City Council.
  - The application Ref. 15/01259/FUL/21471, dated 15 June 2015, was refused by notice dated 7 October 2015.
  - The development proposed is the conversion of dwelling to 1 x 3 bedroom flat and 1 x 2 bedroom flat with associated amenity, cycle and bin storage areas.
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### Decision

1. The appeal is dismissed.

### Application for costs

2. An application for costs was made by Mr Phangaru against the Council. This application is the subject of a separate Decision.

### Main Issues

3. The main issues are the effect of the proposed conversion on the general living conditions and convenience of other residents living near the site because of parking provision, and secondly the mitigation of the effects of the additional residential accommodation on the Special Protection Areas of the Solent Coastline.

### Reasons

#### *Background*

4. The appeal site comprises a semi-detached property which lies in an area with a mixture of different types of houses. The property is split level in that its is two storeys at the front but with a split level ground floor at the rear and has an enclosed garden to the rear. There is a parking area on the forecourt which could accommodate two medium sized cars. There are also 'double yellow' lines parking restrictions which prevent on-street parking on one side of Spring Crescent but public parking is available on the other side of the road.
  5. It is proposed to subdivide the property into two flats and erect a small extension at upper ground floor level to enclose a staircase.
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*Effect on living conditions*

6. The Council's concerns relate to the effect of the proposal on the availability of parking in the neighbouring streets and that further parking pressure may have a harmful effect on the amenities of local residents by them being inconvenienced by them not being able to park close to their house. In support of this the Council refers to a site visit by an officer undertaken one night at the end of January when it was noted that there was only one free on-street parking space within 40 metres of the appeal site. The Council also advise that the site lies in an area of medium accessibility to public transport.
7. However, the saved Local Plan policy referred to SDP1 only makes general reference to the requirement for development to not unacceptably affect the amenity of the City or its citizens. Further Policy CS19 of the Council's Core Strategy indicates that parking for all development must have regard to the maximum parking standards and the minimum cycle parking standards that apply together with other criteria including the location of the site and the level of public transport accessibility. The adopted Parking Standards SPD (2011) indicates the maximum number of spaces that should be provided on site which for 3 bed and 2 bed units is 2 spaces each generally, and 1 space for a 2 bed unit in an area of high public transport accessibility. The guidance goes on to indicate that provision for less than the maximum standard is permissible but developers must demonstrate that the amount of parking provided will be sufficient whether the maximum permissible or a lower quantity is to be provided.
8. It appears to me that the site lies in a reasonably sustainable location near public transport and local facilities, and that two parking spaces can be provided on the forecourt. Therefore this provision falls within the *maximum* provision of four spaces required by the standards. Although the Council stress that the appellant has not put forward evidence to justify a lesser provision, given that the standards are about a maximum provision in practice the onus must be on the Council to clearly show why this level would not be sufficient.
9. The Council's evidence in the appeal of a single snap-shot in time of local on-street parking is not adequate to do this especially as the report from the Planning and Development Manager stresses that "evening visits to the area have revealed some on-street car parking capacity". Nor is the evidence submitted to demonstrate that the area around the site has a particular problem of parking stress or a high level of car ownership. Moreover, there is no evidence to substantiate the premise that existing residents would be materially inconvenienced by not being able to park close to their properties.
10. Overall on this issue, I find that there is no objection to the change of use under the relevant policies in the development plan.

*Effect on Special Protection Areas*

11. The effects from new development on the special habitats of the Solent are dealt with under Policy CS22 of the Council's Core Strategy. It is established policy and practice that the effects of development on the Special Protection Area can be mitigated by a specified contribution from the developer to the Solent Disturbance Mitigation Project.

12. In this case I understand that the appellant was prepared at the application stage to make the required contribution but at the time of my assessment of the case, no contribution has been made to the Council. Nor has the appellant submitted any other formal mechanism to ensure that the mitigation is provided. I therefore have to find that the proposal does not make reasonable provision for the mitigation of the adverse effects on the Solent Special Protection Area and accordingly the proposal also conflicts with this policy in the development plan.

*Planning Balance*

13. Bringing together my conclusions on the main issues, I have found that the conversion of the existing dwelling into two flats has not been shown to be in conflict with the relevant provisions of the development plan on parking grounds. However, the proposal does not make provision for the mitigation of the effects on the Solent Special Protection Areas in accordance with Policy CS22 of the Council's Core Strategy. I have concluded that the proposal does not accord with the relevant provisions of the development for this reason.
14. This negative aspect has to be balanced with the benefits. I recognise that the proposal would result in the more efficient use of land in an existing settlement, and that an additional small dwelling would add to the delivery of new housing in a minor way. This would support the government's intention as set out in the National Planning Policy Framework to boost significantly the supply of new houses.
15. However, the Framework encourages sustainable development and the additional residential unit without mitigation of the effects on sensitive habitats, means that the proposal does not accord with the *environmental* role of sustainable development. I therefore conclude that the proposal does not accord with the Framework when this is read as a whole.
16. Overall, the conflict with the development plan is not outweighed by any other consideration.

**Conclusion**

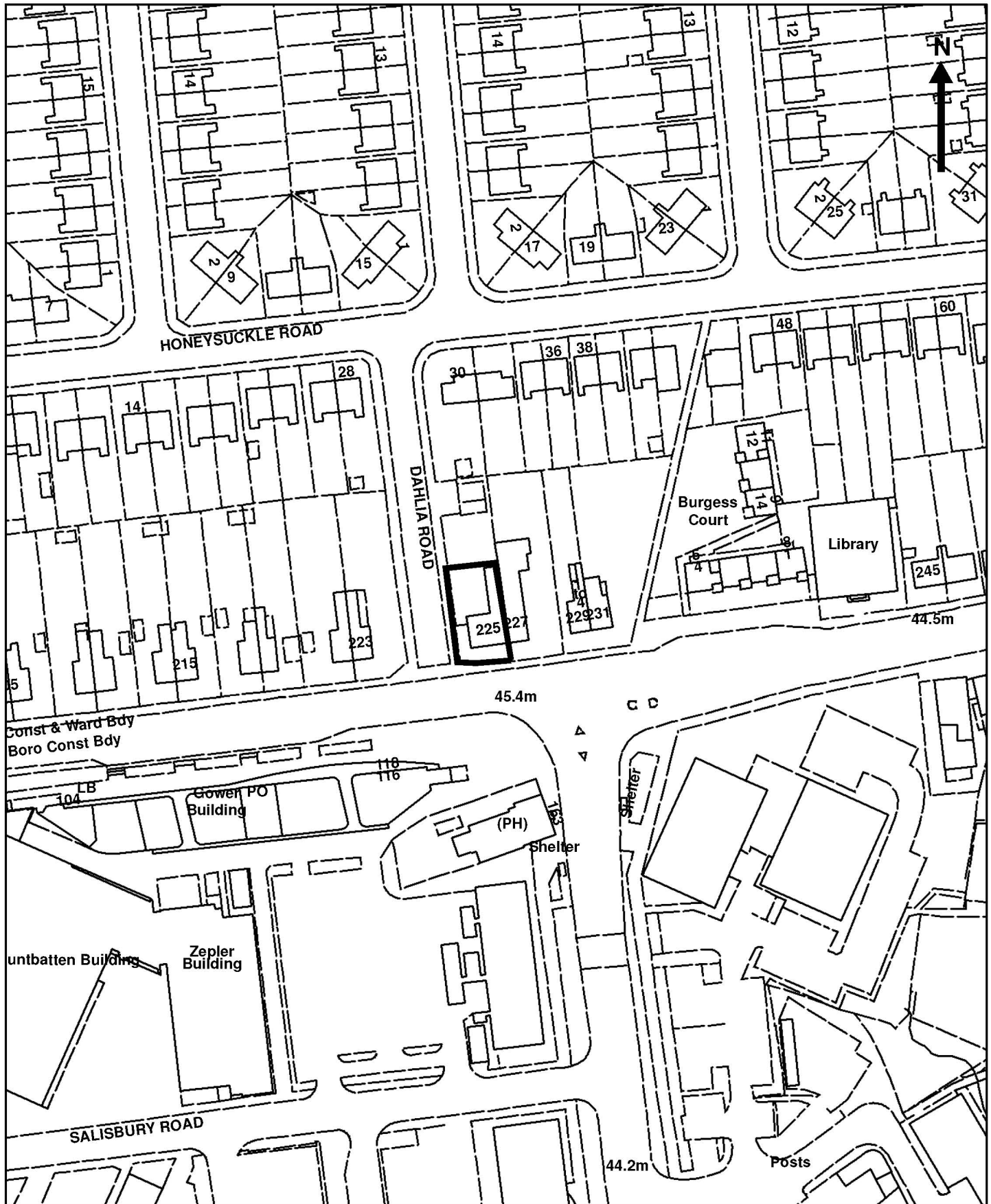
17. For the reasons given above I conclude that the appeal should be dismissed.

*David Murray*

INSPECTOR



# 16/00325/FUL



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