

Planning, Transport & Sustainability Division
Planning and Rights of Way Panel 2nd August 2016
Planning Application Report of the Planning and Development Manager

Application address: 30 Lilac Road			
Proposed development: Erection of a part single storey part two storey rear extension			
Application number	16/00517/FUL	Application type	FUL
Case officer	Amber Trueman	Public speaking time	5 minutes
Last date for determination:	27/05/2016	Ward	Bassett
Reason for Panel Referral:	Request by Ward Member	Ward Councillors	Cllr L Harris Cllr B Harris Cllr J Hannides
Referred to Panel by:	Cllr J Hannides	Reason:	Overdevelopment, density and the impact to the character of the area.
Applicant: Mr Sihota		Agent: Sanders Design Services Ltd	
Recommendation Summary		Conditionally approve	

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).

Appendix attached			
1	Development Plan Policies		

Recommendation in Full

Conditionally approve

1. The site and its context

- 1.1 The application site is a two-storey, semi-detached dwellinghouse located on the easterly side of Lilac Road. At present, the property functions as a 4-bed C4 House in Multiple Occupation (HMO) and sufficient evidence to prove this established use has been provided. As such, the use of the property will not be judged as part of the application though considerations will be made as to how the proposed extension will affect the use of the property.
- 1.2 The property currently comprises a bedroom to the front of the ground floor with a lounge, kitchen conservatory and w/c to the rear. The first floor then features 3 bedrooms and a bathroom.
- 1.3 The property is located in a residential area characterised by two-storey, semi-detached houses, primarily with hipped roofs. The property also benefits from off-road parking for one car on the forecourt.

2. Proposal

- 2.1 Permission is sought for the erection of a part single-storey, part two-storey rear extension in order to extend the ground floor and relocate the kitchen to create an additional bedroom to the rear with a new bathroom off the hallway. The first floor extension will also allow for reconfiguration of the living space to provide a larger rear facing bedroom and a new w/c. Overall the existing 4-bed HMO will be increasing to 5 beds. The single-storey section will project 4 metres from the rear wall of the property and the two-storey element will project 3 metres.
- 2.2 The scheme has been amended since the original submission to remove a roof alteration and reduce the depth of the first floor extension from 4 metres deep to 3 metres deep.

3. 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.
- 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 4th 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 Since the application would not increase the overall number of HMOs within the assessment area, 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, 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 Also of relevance is the draft Bassett Neighbourhood Plan (passed by referendum 25th 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. Relevant Planning History

- 4.1 There is no relevant planning history at the host property.

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 **3** representations have been received from surrounding residents, from East Bassett Residents Association and from the ward Councillor. The following is a summary of the points raised:
- 5.2 ***The extension will block out more light from the neighbouring properties.***
Response:
The reduction in depth of the two-storey element, together with its step away from the boundaries with the neighbouring properties and subordinate roof height limits the impact on light and outlook to the neighbouring properties. In addition to this, existing single-storey additions to the rear of the immediate neighbours further ameliorate the impact of the proposed extension.
- 5.3 ***The extension could result in more noise from more students.***
Response:
It is important to note that, as an established C4 HMO use, the property could already be occupied by up to 6 persons without requiring planning permission. However, the planning application provides an opportunity to limit the occupancy to reduce the likelihood of noise impact to neighbouring occupiers.
- 5.4 ***There are several HMOs in the area already which results in higher numbers of car ownership, exacerbating car parking pressure in the area and causing a highway safety issue.***
Response:
There is space for the off-road parking of one car available at the property. The maximum number of parking spaces permitted for a five bedroom HMO is 3 however, the parking standards do not seek an increase in parking between four-person and five-person HMOs. Furthermore, the site and surrounding streets are within a Residents Parking Zone and the residents of the application property

would not be entitled to more than 2 car parking permits as they currently do. Furthermore, the site is under 500 metres walk from the main University campus and the bus links and facilities that this offers as well as being sited less than 200 metres from the Burgess Road local centre. The site is, therefore, within a sustainable location. The increase in occupancy is not considered to result in any harmful over-spill car parking issues.

5.5 ***The proposal would be an overdevelopment, resulting in an excessive density which would impact on the character of the area.***

Response:

The plans have since been amended for the proposal and it is judged that the development is now a proportionate size for the property and will have a negligible impact upon the character of the property or the area. In addition, the increase from 4 to 5 occupants is not thought to present overdevelopment of the site as the rooms will be a reasonable size and there is plenty of communal space to share. The development will cause minimal coverage of the rear garden and thus, there will still be adequate amenity space (over 119 sq.m) for the occupants of the property.

5.6 ***Concern with over-shadowing and overlooking of the neighbouring properties.***

Response:

Due to the north-east facing garden and the two-storey section of the extension having a modest protrusion and being set away from the adjoining property it is not thought to present significant harm. Similarly, mutual overlooking is expected between neighbours but the proposed development is not thought to have a harmful effect upon the neighbouring residents, particularly since no side-facing habitable room windows are proposed.

6. **Planning Consideration Key Issues**

6.1 The determining issues for this application relate to; whether the proposed extension is acceptable in principle and; whether the proposed development would have a harmful impact the character and amenity.

6.2 **Principle of Development**

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 23rd March 2012 (effective date of Article 4 direction) the applicant has provided a copy of tenancy agreements covering the period from September 2011 to February 2015 showing that between 4 and 5 tenants occupied the property during this time.

6.3 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 23rd 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.

6.4 Effect on Character and Amenity

The proposed erection of a part single-storey, part two-storey rear extension is in order to extend an existing bedroom at first floor level and to create an additional bedroom and bathroom at ground floor level to facilitate the increase the present HMO from four to five beds. The rear extension will add an additional 21m² to the footprint of the ground floor and 7m² at first floor level. These additions are considered to be relatively minor and care has been taken to retain no less than 2 metres separation between the two-storey element and the side boundaries with the immediate neighbours. The site is also considered to be large enough to cope with the additional development and it is not considered to present unacceptable coverage of the curtilage, retaining a garden well in excess of the Council's guidelines for garden sizes.

6.5 With regards to the intensification of the use as an HMO, the property will only gain one bedroom and it is judged that the impact of one addition resident will be minor. In addition, a condition will be applied in order to limit the number of occupants to 5 and provide some additional control to the use of the property whilst functioning as an HMO, which is not currently possible. This is considered to be an appropriate solution to provide additional housing whilst maintaining control for the level of occupancy of an established HMO. The proposal is therefore considered to be acceptable in principle.

6.6 In relation to design, the two-storey section of the extension is set both down from the height of the original roof and away from the boundary on both sides so as to eliminate any undue dominance or overbearing nature for the residents of the neighbouring properties. The roof also has a hipped style, which matches the style of the original roof and the windows proposed match the proportions of those displayed on the original property, thus linking in well with the character of the area. Overall, the extension is seen as an acceptable size and scale in relation to the existing property and suitable consideration has been given to the design and materials will fit in with the character of the area. Consequently, the proposed development is thought to have negligible impact upon the character of the existing property and the local area and is in compliance with Section 2.1, 2.3 and 2.5 of the Residential Design Guide (RDG, 2006).

7. **Summary**

7.1 This proposal is considered to be an appropriate size and scale for the host site and the design is also judged to be in keeping with the character of the area, the host property and that of the directly adjoining property. Additionally, the extension would tie in appropriately with the existing building, which complies with Core Strategy policy CS13. The separation distances to be retained, especially with regard to the two-storey section of the extension are seen as an acceptable attempt to retain amenity to both the occupants and the neighbouring residents and to prevent any excessive overshadowing as a result of the development. Care has also been taken to match the roof style and pitch, which is consistent throughout the area, in compliance with Section 2.1, 2.3 and 2.5 of the Residential Design Guide (RDG). The addition of one extra bedroom and thus one more occupant is not thought to present significant harm and therefore, with a condition applied to limit the occupants to 5, the use of the property is not

thought to be excessively intensified. As such, it is judged that residential amenity will not be harmed and that the proposal is acceptable. Consequently, the scheme is recommended approval.

8. Conclusion

- 8.1 The proposal for a part single storey, part two-storey rear extension is considered to be acceptable in principle as significant harm shall not be caused to neighbouring amenity. In addition the site is considered large enough to deal with the proposal, the design is sympathetic to the character of the property, and the amenity of the occupants of the host dwelling shall not be harmed. For these reasons the scheme can be supported.

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), 4(f) and 6(a)]

AT for 02/08/16 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 5 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. Retention of communal spaces

The communal rooms as shown on the plans hereby approved (namely, the kitchen, lounge, bathrooms and w.c) shall be provided before the new bedroom is first occupied and shall thereafter be retained for that purposes.

Reason: In the interests of the living conditions of the occupiers.

04. Materials to match

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.

05. 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)

CS13 Fundamentals of Design

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

SDP1 Quality of Development

SDP7 Urban Design Context

SDP9 Scale, Massing & Appearance

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)

Houses in Multiple Occupation SPD

Other Relevant Guidance

The National Planning Policy Framework (2012)

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Scale: 1:1,250

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