

Southampton City Planning & Sustainability  
 Planning and Rights of Way Panel meeting 26 OCTOBER 2010  
 Planning Application Report of the Planning and Development Manager

<b>Application address:</b>			
258 Broadlands Road SO17 3AS			
<b>Proposed development:</b>			
Part Two Storey Part Single Storey Rear Extension To A C4 (HMO) Dwelling House To Create A Property With 5 Bedrooms And Shared Communal Facilities.			
Application number	10/00409/FUL	Application type	FUL
Case officer	Mathew Pidgeon	Public speaking time	5 minutes
Last date for determination:	25.08.2010	Ward	Swaythling
Reason for Panel Referral:	The application is seeking to enlarge an existing C4 (HMO).	Ward Councillors	Cllr Jane Odgers Cllr Edward Osmond Cllr Maureen Turner

<b>Applicant:</b> Mr And Mrs Sahota	<b>Agent:</b> Sanders Design Services Ltd
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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. A family home can be re-established as there are only external physical changes proposed. The occupation of this property is not considered likely to result in an intensification of activity resulting in a material increase in the level of noise and refuse generated from the site. Other material considerations including the impact on the amenity of adjoining occupiers or the character of the street 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.

Policies - SDP1, SDP7, SDP9 and H4 of the City of Southampton Local Plan Review (March 2006); and CS13 and CS16 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

<b>Appendix attached</b>			
1	Development Plan Policies		

## **Recommendation in Full**

### **Conditionally approve**

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

1.1 The application site comprises of a two storey semi-detached property located on the northern side of Broadlands Road towards the end closest to the University. The dwelling has an established use as a C4 (HMO) dwelling house.

1.2 Land levels change from the front of the plot to the rear whereby at present the ground floor of the property is set 0.5m lower than the level of the garden surface.

1.3 The neighbouring property, number 256, has been converted into flats along with its semi-detached partner number 254. The two properties both have large flat roofed, two storey rear extensions.

1.4 At present the semi detached partner to this property, number 260, shares the same rear building line as the host dwelling at both first and second floor level. The rear window at first floor level serves a kitchen which has a table to allow dining. At ground floor level there is a window which serves a bathroom.

1.5 Between 258 and 260 Broadlands Road the boundary treatment is a 2.4m high close boarded fence. The boundary between the host dwelling and number 256 is a low 1m high timber fence.

1.6 The surrounding pattern of development is characterised by family dwelling houses of traditional design. Owing to the proximity of the road to the University of Southampton (0.17miles in a straight line to the centre of the campus or 0.5miles using public footpaths) many of the properties in the road have become C4 dwelling houses. Having researched the councils HMO Private Sector Housing records along with the Electoral Register, 72 properties have been identified as being occupied by three or more unrelated individuals out of a total of 284 residential properties. The percentage of identified C4 properties (HMOs) to C3 properties (dwelling houses) is 25%.

#### **2.0 Proposal**

2.1 The proposal seeks to extend the property rather than change its use. The additional structure would be part single storey and part two storey in nature. The single storey element would project 4.5m to the rear, have a 3.2m high ridge and 2.3m high eaves. The width of the single storey element of the extension would be 3.7m.

2.2 The first floor element is narrower and would be the same width as the dog leg and project 1.5m from the existing rear wall.

2.3 The ground floor addition would create a new lounge for the residents of the property which is accessed through the existing kitchen. The extension would be set into the ground so that the internal floor level of the property is extended without the need for any internal steps. A new access point to the garden will be created from the new lounge where there will be a new patio area which will lead to two steps leading up onto the turfed garden area.

2.4 The first floor extension would increase the size of one of the first floor bedrooms.

2.5 The proposal would result in the property having an improved living environment for the 5 occupants residing within the 5 bedroom dwelling house and the remaining garden area will be in excess of 100sq.m.

### **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 (March 2006) and the City of Southampton Core Strategy (January 2010). The most relevant policies to these proposals are set out at **Appendix 1**.

### **4.0 Relevant Planning History**

4.1 N/A.

### **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. At the time of writing the report no representations have been received from surrounding residents.

5.2 **SCC Highways** - No Objection.

5.3 **SCC Private Sector Housing** – No record of an HMO on the site.

5.4 **SCC Environmental Health (Pollution & Safety)** – No record of noise complaints in relation to the host dwelling or neighbouring properties.

### **6.0 Planning Consideration Key Issues**

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

- i. The principle of development;
- ii. The impact on Character and amenity of the surrounding area;
- iii. The adequacy of the amenity space provided; and
- iv. The implications of the development in relation to PPS3.

#### **6.2 Principle of Development**

6.2.1 The application is for an extension to rather than a change of use of the property. The principle should therefore be assessed on the impact the physical form of the development would have on the amenity of adjacent occupiers and the character of the area. The proposal would provide the occupants of the property with enlarged living space but would not increase the number of bedrooms. The potential number of occupants could therefore be restricted provided appropriate planning conditions are applied.

6.2.2 The proposal would create an improved standard of accommodation for residents of the dwelling.

6.2.3 As the proposal does not introduce any physical sub-division of the property it would be possible to return the dwelling back to C3 use using permitted development rights without any physical changes to the structure of the property or the external amenity area being required.

### 6.3 Character and amenity of the surrounding area;

6.3.1 The rearward projection of the neighbouring building at number 256 and 254 means that the proposal will not create additional amenity problems to those neighbouring residents in terms of overlooking or loss of privacy.

6.3.2 The additional 1.5m projection at first floor level is not considered to significantly reduce outlook from the habitable room windows positioned in the side elevation of number 256 which faces the flank elevation of the host dwelling. The proposal also accords with the 45 degree code when viewed from the habitable room window facing the rear of number 260.

6.3.3 The proposal includes one window in the side elevation. This window is located at ground floor level and serves a lounge. It would not normally be considered necessary to require it to be obscurely glazed, and as it serves a lounge it would not be appropriate to do so. However, given the low boundary treatment between the host dwelling and number 256, it is considered a condition requiring additional boundary treatment should be applied to prevent loss of privacy should the application be approved.

6.3.4 The position of the single storey extension on the boundary with number 260 is considered to have an acceptable relationship with the adjoining property. The orientation of the property would mean that the extension would not create overshadowing of private amenity space or habitable room windows during the afternoon and/or evening. The presence of the 2.4m high close boarded fence (controlled by the owner of number 260) mitigates the visual impact of the proposal as does the change in levels which occurs between the floor level of the properties and the gardens of the two properties.

### 6.4 Adequacy of the amenity space provided

6.4.1 The remaining garden area is sufficient and as such the residential environment for the proposed residents, given that the scheme will increase the scale of accommodation on site, is acceptable.

6.4.2 The development would occupy 17Sq.M and therefore the remaining garden area would be in excess of 100Sq.M. The area of garden remaining exceeds the minimum garden size for a semi detached house as defined within the Residential Design Guide and the space is considered sufficient in terms of both quality and usability to serve the level of occupancy having regard to the context of other gardens in the area.

### 6.5 Implications of the development in relation to PPS3

6.5.1 The loss of the garden space proposed as a result of the extension is not considered to be contrary to PPS3 which no longer considers gardens to be brown field land.

## **7.0 Conclusion**

7.1 The proposed extension satisfies the requirements of the Residential Design Guide and will not cause harm to neighbouring amenity. In addition the site is considered large enough to deal with the proposal and the design is sympathetic to the character of the property. 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(c), 2(e), 4(s), 6(c), 6(l), 7(a),7(c), 7(x), 9(a) and 9(b), and the Residential Design Guide SPD 2006 (MP 12/10/2010 for 26/10/20103PROW Panel).

### **MP3 for 26/10/2010 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 - 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 other than those expressly authorised by this permission shall be inserted in the side elevations of the first floor element of the development hereby permitted without the prior written consent of the Local Planning Authority.

Reason:

To protect the amenities of the adjoining residential properties

04 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.

05 APPROVAL CONDITION - Boundary Treatment.

Prior to the commencement of development full details of the proposed boundary treatment located on the eastern boundary of the site shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall detail how the applicant proposes to prevent loss of privacy to the neighbouring occupants of number 256 Broadlands Road. Once approved the boundary treatment shall be retained in perpetuity.

REASON

To protect the amenities of the occupiers of nearby residential properties.

06 PERFORMANCE CONDITION - Restriction on number of occupiers

The premises shall only be used as a House in Multiple Occupation (HMO) for a maximum of 5 residents and for no other purpose unless otherwise agreed in writing by the Local Planning Authority upon submission of a formal planning application.

REASON:

To define the planning permission and to ensure that the HMO meets Council's standards.

07 APPROVAL CONDITION – Use of garage – domestic ancillary use

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 the extension hereby approved shall be made available as a living room at all times for communal use by occupants of the dwelling house. At no time shall the living room be used for any trade, business, manufacturing or industrial purposes whatsoever and shall not be incorporated into the house as a bedroom.

REASON:

To ensure that a satisfactory living environment is created and residential amenity is protected.

**POLICY CONTEXT**

Core Strategy - (January 2010)

CS13          Fundamentals of Design  
CS16          Housing Mix and Type

City of Southampton Local Plan Review – (March 2006)

SDP1          Quality of Development  
SDP7          Urban Design Context  
SDP9          Scale, Massing & Appearance  
H4              Houses in Multiple Occupation

Supplementary Planning Guidance

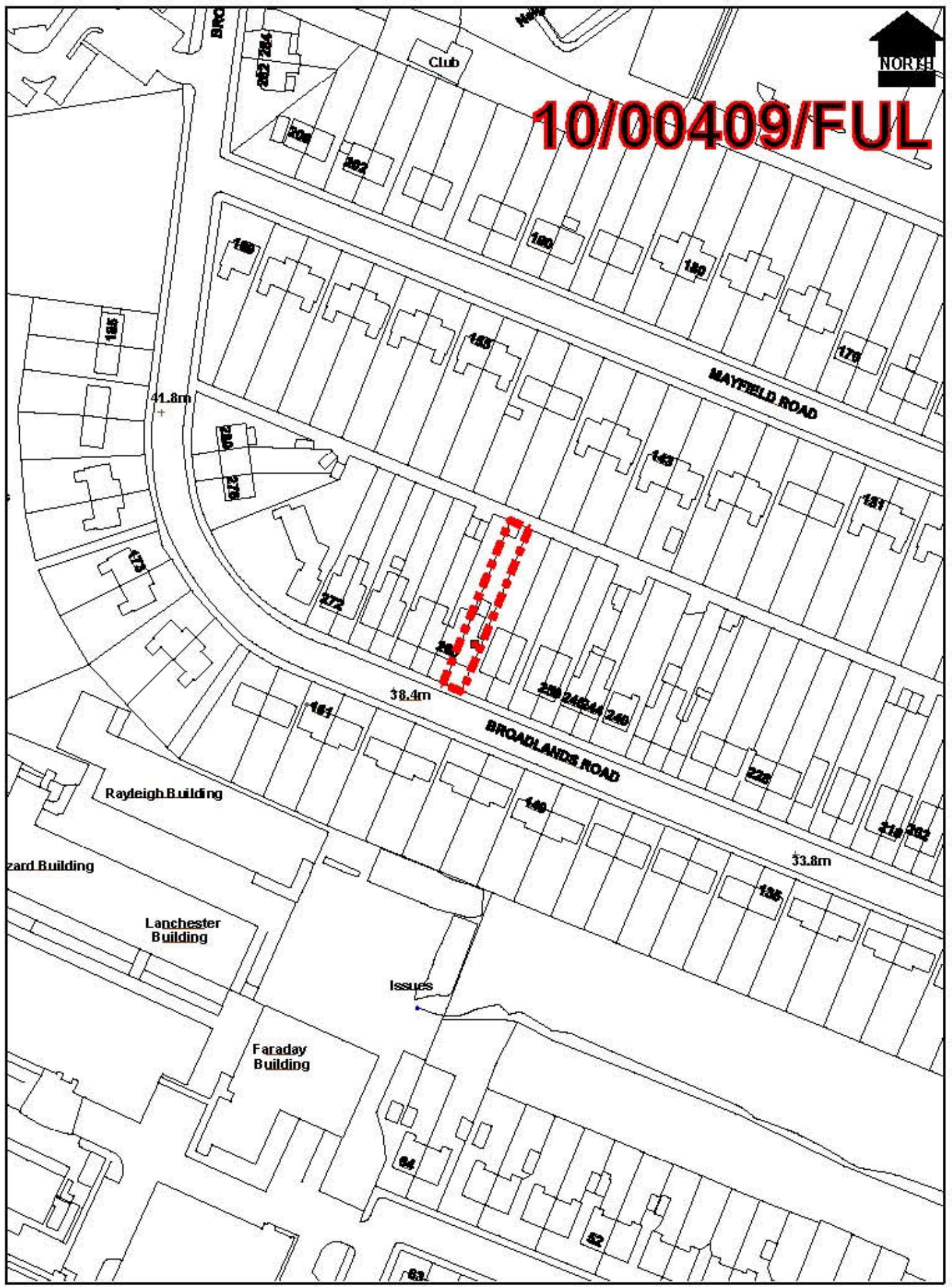
Residential Design Guide (Approved - September 2006)

Other Relevant Guidance

PPS3          Housing



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Scale : 1:1250

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