

Southampton City Planning & Sustainability  
 Planning and Rights of Way Panel meeting 15th February 2011  
 Planning Application Report of the Planning and Development Manager

<b>Application address:</b> 64 Swift Road			
<b>Proposed development:</b> Erection of two storey rear and side extension to allow conversion of dwelling into four flats (2 x 2 bedroom and 2 x 1 bedroom) with associated parking and cycle/refuse storage.			
Application number	10/01464/FUL	Application type	FUL
Case officer	Jenna Turner	Public speaking time	5 minutes
Last date for determination:	27.12.10	Ward	Woolston
Reason for Panel Referral:	Referred by Councillor Williams	Ward Councillors	Councillor Cunio Councillor Williams Councillor Payne

<b>Applicant:</b> Mr Val Serbatoio	<b>Agent:</b> Gordon Rogers
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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 and other guidance as set on the attached sheet. Other material considerations such as those listed in the report to the Planning and Rights of Way Panel on the 15.02.11 do not have sufficient weight to justify a refusal of the application. The proposed dwelling would be in keeping with the surrounding area and would not have a harmful impact on residential amenity or highway safety and having regard to the previous planning appeal decision the proposal is considered to be acceptable. Where appropriate planning conditions have been imposed to mitigate any harm identified. In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004, Planning Permission should therefore be granted having account of the following planning policies: "Saved" Policies – SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP11, SDP12, SDP13, H1, H2, and H7 of the City of Southampton Local Plan Review - Adopted March 2006 as supported by the adopted LDF Core Strategy (2010) policies CS4, CS5, CS13, CS19, and CS20 and the Council's current adopted Supplementary Planning Guidance. National Planning Guidance contained within PPS1 (Delivering Sustainable Development), PPS3 (Housing 2010) and PPG13 (Transport 2011) are also relevant to the determination of this planning application.

<b>Appendix attached</b>			
1	Development Plan Policies	2.	Planning History

## **Recommendation in Full**

### **Conditionally approve**

#### **1. The site and its context**

1.1 The application site contains a semi-detached two storey dwelling house constructed of red brick with a hipped roof and double bay window to the front. The property is bounded by a hedge to the front and has a generous amount of curtilage to the side and rear.

1.2 Apart from a Public House to the east of the application site, the surrounding area is predominantly residential, although has a mixed architectural character. The north side of Swift Road typically comprises terraced properties whereas the properties on the southern side of the road tend to be either detached or semi-detached dwellings, although there is no strong building line in existence.

#### **2. Proposal**

2.1 The application proposes an amendment to an earlier scheme approved at appeal (application 08/00260/FUL). The application involves a two-storey side and rear extension to the existing property to again facilitate the conversion of the property into four flats (2 x 1 beds and 2 x 2 beds).

2.2 In the current proposal, the proposed side extension is approximately 1.3 metres deeper than the previously approved scheme. This would allow the bedrooms of flats 2 and 4 to be increased in area by approximately 5 sq.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**.

3.2 The application site is not allocated in the current development plan. The Council’s usual requirements for achieving context-sensitive residential design as required by Core Strategy policy CS13 and policies SDP1, SDP7 and SDP9 of the Local Plan are applicable. Applications for new residential dwellings are expected to meet high sustainable construction standards in accordance with adopted Core Strategy Policy CS20 and Local Plan “saved” Policy SDP13.

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

4.1 As stated above, the current application is a resubmission of an application allowed at appeal in 2009. The planning permission can still be implemented and expires on the 12th January 2012. A list of the relevant planning applications and the previous appeal decision are included in **Appendix 2**.

#### **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 and nearby landowners and erecting a site notice (11.11.10). At the time of writing the report **7**

representations have been received from surrounding residents. The following is a summary of the points raised:

- 5.2 ***Insufficient car parking spaces proposed to serve the development. This will lead to overspill car parking on surrounding streets and create highway safety issues.***

**Response**

The application site lies within an area of low accessibility for public transport and as such, a maximum of 5 car parking spaces would be permitted. The development makes provision for 2 off-street car parking spaces and whilst this is below the maximum standard, is in accordance with the adopted standards. Furthermore, this issue was previously part of the Council's refusal and was not supported by the Inspectorate at appeal

- 5.3 ***The scale of the proposed development is excessive and the additional massing would have a harmful impact on the area***

**Response**

The appearance of the development when viewed from the street scene would remain unchanged when compared with the approved scheme, which was found not to be harmful to character by the Planning Inspectorate.

- 5.4 ***The storage areas would be unlikely to be used and therefore would unnecessarily erode the available useable garden area.***

**Response**

In allowing the previous appeal, the Inspector considered that it would be in the interests of the future occupants to store their bins safely in the available bin store. Furthermore, without the proposed storage it is likely that refuse containers would be left on the property frontage which would have a harmful impact on the street scene. In addition to this, the garden area is of a sufficient size to accommodate the storage and still provide a useable garden area.

- 5.5 ***The proposed extension would have a harmful impact on the amenities of the neighbouring occupiers.***

**Response**

Notwithstanding the additional depth of the rear extension, the extension would still comply with the 45 degree code as set out in the Residential Design Guide. There is sufficient separation between the extension and the boundaries with the neighbouring properties to ensure that no harmful impact would occur.

- 5.6 ***The sewerage and drainage system will not be able to cope with the additional units***

**Response**

The number of flats proposed has not changed from the appeal scheme in which the Inspector found that there was no substantial evidence to support concerns relating to drainage.

- 5.7 ***The development will result in noise disturbance to the neighbouring properties, particularly during the construction process***

**Response**

A condition has been suggested to secure soundproofing between the development and the adjoining property. Conditions have also been imposed to limit the hours of construction and to secure a construction management plan to minimise disturbance to neighbours during the construction process.

## 5.8 ***The proposal will result in the loss of family housing***

### **Response**

The conversion will result in the loss of a 3-bedroom family dwelling which is not in accordance with CS16 of the Core Strategy. However, the previous approval which pre-dated the adoption of the Core Strategy can still be implemented. This is material to the Council's decision and, as such, the proposal is considered to be acceptable in this respect.

## 5.9 ***The additional space could enable the formation of two additional bedrooms***

### **Response**

A condition is suggested to ensure that the development is constructed and occupied in accordance with the approved plans.

5.11 **SCC Highways** - No objection. Suggests conditions to minimise disruption to the users of the adjoining highway during the construction process

5.12 **SCC Environmental Health (Pollution & Safety)** – No objection. Suggests conditions to minimise disruption to the neighbouring occupiers during the construction process.

5.13 **SCC Environmental Health (Contaminated Land)** - No objection. Suggests conditions to prevent contaminated fill being imported into the site and to deal with any unsuspected contamination that may arise during the construction process.

## **6.0 Planning Consideration Key Issues**

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

- i. Principle of development;
- ii. Design;
- iii. Residential amenity;
- iv. Residential Standards; and
- v. Highways and parking.

### **6.2 Principle of Development**

6.2.1 Whilst the net loss of family dwellings are resisted by policy CS16 of the Core Strategy, the site benefits from planning permission to extend and convert the property into one and two bedroom flats. This planning permission can still be implemented and this planning application seeks minor material amendments to the approved scheme. As such, the principle of development has already been established and the main assessment is whether or not the proposed changes are acceptable in planning terms. The main change relates to the depth of the rear extension being increased by 1.3 metres.

### **6.3 Character and Design**

6.3.1 The additional depth to the proposed rear extension would not be readily visible from public vantage points and as such, would not have a significant impact on the character of the area. When viewed from Swift Road, there would be no notable change between the current proposal and the scheme approved at appeal. The extension would still appear subordinate to the main house and its design and roof form would be sympathetic to the original property.

## 6.4 Residential Amenity

6.4.1 The additional 1.3 metre depth of the extension would be positioned over 5.5 metres from the boundary with the adjoining property and as such, would not result in any additional harm to the amenities of the occupiers of this property. The development would not project any further to the rear of the site than the neighbouring property at 62 Swift Road and would not therefore, affect the amenities of this property.

6.4.2 There would be at least 23 metres between the rear elevation of the development and the properties to the rear of the site on Swift Gardens. This exceeds the privacy distances recommended by the Residential Design Guide and as such it is considered that the development would not result in any harmful overlooking of these properties.

## 6.5 Residential Standards

6.5.1 The enlarged extension would leave over 80 sq.m of useable amenity space to the rear of the site which accords with the Residential Design Guide standard of just over 20sq.m per flat. Cycle and refuse storage is provided within purpose built stores to the rear of the site and would not further erode the amount of garden space available for use. The proposal is therefore in accordance with the standards as set out in the Residential Design Guide and accordingly the residential environment is considered to be acceptable.

## 6.6 Highways and Parking

6.6.1 The level of car parking spaces proposed complies with the Council's adopted standards and current planning guidance in the form of PPG13: 'Transport', PPS1 'Delivering Sustainable Development' and PPS3 'Housing' which emphasises the need to reduce car dependence. Furthermore, Local Plan policy SDP5 confirms that car parking is a key determinant in the choice of the mode of travel. The provision of secure and convenient cycle storage would promote cycling as an alternative to the private car. In addition to this, the level of car parking proposed is the same as the approved scheme, which was found to be acceptable by the Planning Inspectorate. The level of car parking proposed to serve the development is therefore considered to be acceptable.

## 7.0 Summary

7.1 The proposed amendments to the approved scheme would not introduce any additional harm to residential amenity or the character of the area. The proposal would make good use of the site to provide further residential accommodation.

## 8.0 Conclusion

8.1 Subject to the imposition of the suggested conditions attached to this report, the proposal would be acceptable. The application is therefore recommended for

## Local Government (Access to Information) Act 1985

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

1 (a) (b) (c) (d) 2 (b) (c) (d) 4 (f) 6 (c) (i) 7 (a) (b) (e) (o) 9 (a)

**JT for 15/02/11 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 - Details of building materials to be used [Pre-Commencement Condition]**

Notwithstanding the information shown on the approved drawings and application form no development works shall be carried out unless and until a written schedule of external materials and finishes has been submitted to and approved in writing by the Local Planning Authority. Development shall be implemented only in accordance with the agreed details. These shall include full details of the manufacturers, types and colours of the external materials to be used for external walls, windows, doors and the roof of the proposed buildings. It is the Local Planning Authority's practice to review all such materials on site. The developer should have regard to the context of the site in terms of surrounding building materials and should be able to demonstrate why such materials have been chosen and why alternatives were discounted. If necessary this should include presenting alternatives on site.

Reason:

To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality.

### **03. APPROVAL CONDITION – Details of Window Reveals [pre-commencement condition]**

Prior to the commencement of the development hereby approved detailed plans at a scale of no less than 1:20, detailing the depth of the window reveals, shall be submitted to the Local Planning Authority and approved in writing. The development shall proceed in accordance with the submitted details.

Reason:

To secure a satisfactory form of development

### **04. APPROVAL CONDITION - Refuse & Recycling Bin Storage [Performance condition]**

Bin storage shall be laid out with a level approach prior to the first occupation of the development hereby approved in accordance with the plans hereby approved. The facilities shall include accommodation for the separation of waste to enable recycling. The approved refuse and recycling storage shall be retained whilst the building is used for residential purposes. Except for on collection days, no refuse storage shall take place to the front of the property.

Reason:

In the interests of the visual appearance of the building and the area in general.

#### 05. APPROVAL CONDITION - Cycle Storage [performance condition]

Cycle storage shall be laid out with a level approach prior to the first occupation of the development hereby approved in accordance with the plans hereby approved. The cycle storage shall be thereafter retained.

Reason:

In the interests of the visual appearance of the building and the area in general and to promote alternative modes of travel to the private car.

#### 06. APPROVAL CONDITION - Landscaping, lighting & means of enclosure detailed plan [Pre-Commencement Condition]

Notwithstanding the submitted details before the commencement of any site works a detailed landscaping scheme and implementation timetable shall be submitted to and approved by the Local Planning Authority in writing, which includes:

- i. proposed finished ground levels, means of enclosure to include a 600mm high front boundary wall and hard surfacing materials;
- ii. planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate;
- iii. an accurate plot of all trees to be retained and to be lost. Any trees to be lost shall be replaced on a favourable basis (a two-for one basis unless circumstances dictate otherwise); and
- iv. a landscape management scheme.

Any trees, shrubs, seeded or turfed areas which die, fail to establish, are removed or become damaged or diseased, within a period of 5 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 5 years from the date of planting.

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. The means of enclosure shall be thereafter retained as approved.

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

#### 07. APPROVAL CONDITION- Unsuspected Contamination [Performance Condition]

The site shall be monitored for evidence of unsuspected contamination throughout construction. If potential contamination is encountered that has not previously been identified no further development shall be carried out unless otherwise agreed in writing by the Local Planning Authority.

Works shall not recommence until an assessment of the risks presented by the contamination has been undertaken and the details of the findings and any remedial actions has been submitted to and approved by the Local Planning Authority.

Any changes to the agreed remediation actions will require the express written consent of the Local Planning Authority.

Reason:

To ensure any land contamination not previously identified is assessed and remediated so as not to present any significant risks to human health or, the wider environment.

08. APPROVAL CONDITION - Use of uncontaminated soils and fill [Pre-Commencement Condition]

Clean, uncontaminated soil, subsoil, rock, aggregate, brick rubble, crushed concrete and ceramic shall only be permitted for infilling and landscaping on the site. Any such materials imported on to the site must be accompanied by documentation to validate their quality and be submitted to the Local Planning Authority for approval prior to the occupancy of the site.

Reason:

To ensure imported materials are suitable and do not introduce any land contamination risks onto the development.

09. APPROVAL CONDITION -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 additional hard standings shall be created on the site without the prior written approval of the Local Planning Authority.

Reason:

In the interests of the visual amenity of the area

10. APPROVAL CONDITION - Amenity Space Access [performance condition]

The garden area shown on the site plan, and pedestrian access to it, shall be made available as amenity space prior to the first occupation of the flats hereby permitted and shall be retained with access to it at all times for the use of all occupiers of the development .

Reason:

To ensure the provision of adequate amenity space in association with the approved dwellings.

11. APPROVAL CONDITION - Hours of Construction[ Performance condition]

In connection with the implementation of this permission any demolition, conversion and construction works, including the delivery of materials to the site, shall not take place outside the hours of 8am and 6pm Mondays to Fridays and 9am and 1pm on Saturdays. Works shall not take place at all on Sundays or Public Holidays without the prior written approval of the Local Planning Authority. Any works outside the permitted hours shall be confined to the internal preparation of the buildings without audible noise from outside the building, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To protect local residents from unreasonable disturbances from works connected with implementing this permission.



## 12. APPROVAL CONDITION – Parking and Access [pre-occupation condition]

Prior to the occupation of the development hereby approved both the access to the site and the parking spaces for the development in accordance with the plans hereby approved. The parking shall be retained for that purpose and not used for any commercial activity.

Reason:

To ensure a satisfactory form of development

## 13. APPROVAL CONDITION – Obscure glazing [performance condition]

The first floor window hereby approved in the west side elevations of the development shall be obscurely glazed and non-opening prior to the development first coming into occupation and thereafter retained in this manner.

Reason:

In the interests of the privacy of the neighbouring occupiers

## 14. APPROVAL CONDITION - Renewable Energy - Micro-Renewables (Pre-Commencement Condition)

An assessment of the development's total energy demand and a feasibility study for the inclusion of renewable energy technologies on the site, that will achieve a reduction in CO2 emissions [as required in core strategy policy CS20] must be conducted. Plans for the incorporation of renewable energy technologies to the scale that is demonstrated to be feasible by the study, and that will reduce the CO2 emissions of the development [as required in core strategy policy CS20] must be submitted and approved in writing by the Local Planning Authority prior to the commencement of the development hereby granted consent. Renewable technologies that meet the agreed specifications must be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained thereafter.

Reason:

To reduce the impact of the development on climate change and finite energy resources and to comply with adopted policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

## 15. APPROVAL CONDITION – Soundproofing [Pre-Commencement Condition]

Prior to the commencement of the development hereby approved a scheme for the soundproofing of the development shall be submitted to the Local Planning Authority for approval in writing. The details shall include measures to limit noise transference from the development into the adjoining property and the measures shall be implemented as approved before the development is occupied.

Reason:

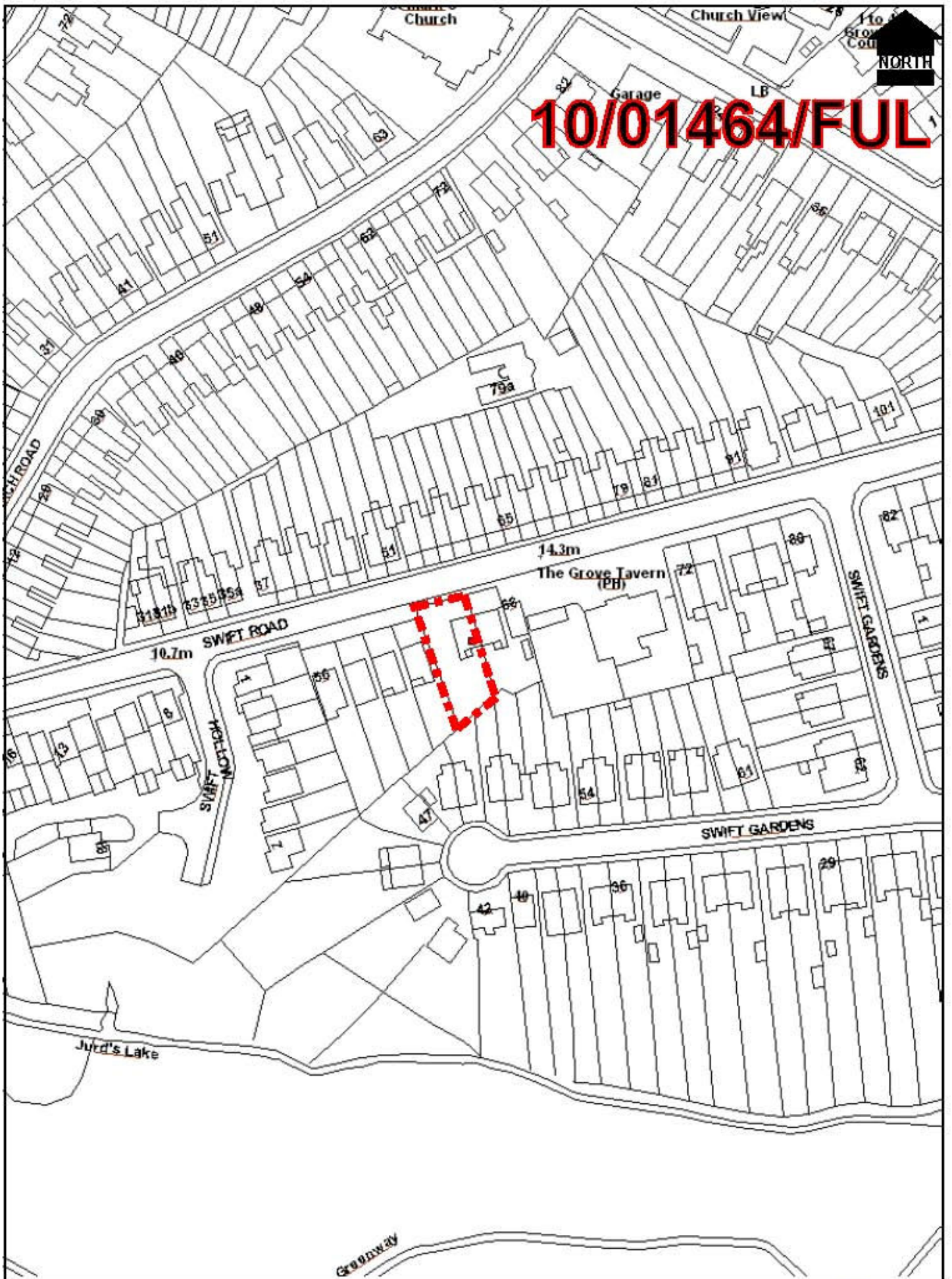
In the interests of the amenities of the adjoining property.

## 16. 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.



10/01464/FUL

Scale : 1:1250

Date :01 February 2011

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