

Southampton City Planning & Sustainability
Planning and Rights of Way Panel meeting 24 May 2011
Planning Application Report of the Planning and Development Manager

Application address: 8 Shaftesbury Avenue, SO17 1SA			
Proposed development: Rear roof extension with additional windows to provide additional bedroom to existing C4 HMO (House of Multiple Occupancy) resulting in an 8 bedroom HMO.			
Application number	10/00584/FUL	Application type	FUL
Case officer	Mathew Pidgeon	Public speaking time	5 minutes
Last date for determination:	02.07.2010	Ward	Portswood
Reason for Panel Referral	Referred by the Planning & Development Manager	Ward Councillors	Cllr Capozzoli Cllr Claisse Cllr Vinson

Applicant: Posh Pads	Agent: Barclay And Phillips
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Recommendation Summary	Conditionally Approve
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Appendix attached	
1	Development Plan Policies

Recommendation in Full

Conditionally approve

Background: The application seeks to enlarge an existing sui generis House of Multiple Occupancy and has been objected to by a local ward member who requested that should the application be recommended for approval the determination of the application should be made at the Planning and Rights of Way Panel.

The application was initially considered by the Planning and Rights of Way Panel dated 12/04/2011 and was deferred to allow officers to determine the established use of the property. Having carried out further research the following has been identified:

Since the year 2000 the Electoral Register, indicates that the site has not been occupied by 7 occupants at any time other than in the year 2008. When the survey was undertaken in October 2010 there were 8 occupants.

Council tax records indicate that the property was vacant between 16/02/2010 and 01/07/2010 (being exempt from Council Tax) and it is noted that the Council Tax records hold no evidence to suggest that the property has been occupied by more than 6 residents during the past 10 years.

The property has however gained an HMO licence for 7 occupants in 2007 and for 8 occupants in October 2010.

At the time of writing this report the applicant is making enquiries to identify whether there is any evidence (in terms of tenancy agreements) to demonstrate occupancy level of the past ten years.

However, the authorised planning use of the property is a C4 HMO having previously been a C3 dwelling house. At the present time planning permission is not required to alternate between a C3 dwelling house and a C4 HMO lived in by up to 6 people.

Reason for Granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. The occupation of this property is not considered likely to result in an unacceptable 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).

1.0 The site and its context

- 1.1 The property is one half of a semi detached pair located in an area dominated by Edwardian semi detached family dwelling houses. The property fronts Shaftesbury Avenue with a typically imposing façade and a subservient section to the rear. The property is positioned on the Eastern side of Shaftesbury Avenue towards the end closest to the Portswood Shopping Centre.
- 1.2 The property is located in an area which is popular with student landlords due to the close proximity to the main campus of the University of Southampton.
- 1.3 In February 2010 the roof area of the properties at 8 and 10 Shaftesbury Avenue were subject to a major fire. The application therefore sought to repair damage caused and by altering the shape of the roof increase the number of bedrooms from 7 to 8. The work has now been completed (vacancy lasting approximately 5 months) prior to the decision being made but following the receipt of the planning application.
- 1.4 Owing to the proximity of the road to the University of Southampton (0.5 miles) many of the properties in the road have become Houses of Multiple Occupancy. Having researched the councils HMO Private Sector Housing records along with the Electoral Register 18 properties have been identified as being occupied by three or more unrelated individuals out of a total of 76 residential properties (24%).

2.0 Proposal

- 2.1 The planning application seeks to alter the shape of the roof of the dwelling house and it is noted that the roof profile of the neighbouring dwelling (number 10) has been undertaken in a similar manner.
- 2.2 When the application was submitted the repairs to the fire damage were underway. At the time of writing this report the development had now been completed. The application includes the addition of three windows into the roof of the dwelling. Two of the windows will serve bedrooms and one will serve a bathroom. An additional window is also proposed at first floor level.

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, **three** letters of representation have been received from surrounding residents including one from a local ward member. The main points raised were:

- Disproportionate development in bulk and size
- Overdevelopment of the site
- Out of character with the area
- Insufficient Parking
- Lack of amenity space
- Over-intensive HM occupation
- Loss of privacy and increased disturbance

- 5.2 **SCC Highways** - No Objection.

- 5.3 **SCC Environmental Health (Pollution & Safety)** – There is no record of any complaints relating to the site; this includes specific noise, parking, litter and/or odour issues 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 of the host dwelling;
 - iii. The impact on the amenity of the surrounding area; and
 - iv. The adequacy of the living environment for the residents.

6.2 Principle of Development

6.2.1 The application is for an extension to the property and an increase in the number of bedrooms; as a consequence the amount of accommodation provided has increased. The principle of the proposal by increasing the size of the property and the formation of an additional bedroom and bathroom at second floor level is not objected to. There are no policies which directly prevent the proposed form of development taking place in this location as a matter of principle.

6.3 The impact on character of the host dwelling;

6.3.1 The element of the roof which has been enlarged (by raising the eaves and parapet wall height) concerns the rear section and additional alterations include the removal of one of the existing (redundant) chimneys.

6.3.2 The change to the roof profile is considered acceptable in appearance and does not poorly relate to the original building as the adopted design has retained the subordinate nature of the rear section of the building.

6.3.3 The comprehensive development, reflected by the semi-detached partner, helps to ensure that the scheme does not adversely affect the character of the dwelling. The width of the extension is also considered acceptable and the roof extension does not appear top heavy due to the scale of the largest element of the dwelling which fronts Shaftesbury Avenue.

6.3.4 The development adequately respects and maintains the character of the original dwelling.

6.4 The impact on the amenity of the surrounding area

6.4.1 Additional windows can cause overlooking however where concern is raised in regard to overlooking windows can be obscured to prevent loss of privacy. Obscure glazing should therefore be conditioned for the rear facing velux window, the side facing bathroom velux window and the side facing first floor window.

6.4.2 It should be noted that by obscuring the windows as suggested above the habitable rooms which they serve will not become devoid of outlook for there are also windows serving these rooms which will not be obscurely glazed.

6.4.3 The increased level of accommodation for the site, from 7 bedrooms to 8, is not considered to significantly alter the amenity enjoyed by neighbouring occupants; the council have not received any letters of complaints relating to the development or associated activity since the works were completed.

6.5 The adequacy of the living environment for the residents.

6.5.1 The garden area is sufficient (approximately 113.5m²) for the increased occupancy level.

7.0 Conclusion

- 7.1 The extension satisfies the requirements of the Residential Design Guide and has not caused harm to neighbouring amenity. In addition the site is considered large enough to deal with the increased level of occupancy and the design is sympathetic to the character of the property. Since the construction and occupation of the property there have been no recorded complaints submitted to the Environmental Health Team and 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 12/04/2011 PROW Panel

PLANNING CONDITIONS

01. APPROVAL CONDITION - Glazing panel specification [Pre-Occupation Condition]

Within 28 days of the date of this decision the window in the southern elevation at second floor level serving the bathroom, the window in the eastern elevation at second floor level serving a bedroom and the window in the southern elevation at first floor level serving a bedroom of the hereby approved development shall be glazed in obscure glass and shall only have a top light opening above a height of 1.7m above the floor level of the room to which it serves. The window as specified shall be installed before the development hereby permitted is first occupied and shall be permanently retained in that form.

Reason:

To protect the privacy enjoyed by the occupiers of the adjoining property.

02. APPROVAL CONDITION - Restricted use of flat roof area [Performance Condition]

The roof area of the extension hereby approved which incorporates a flat roof surface shall not be used as a balcony, terrace, roof garden or similar amenity area without the grant of further specific permission from the Local Planning authority.

Reason:

In order to protect the privacy of adjoining occupiers.

POLICY CONTEXT

Core Strategy - (January 2010)

CS13 Fundamentals of Design
CS16 Housing Mix and Type

City of Southampton Local Plan Review – (March 2006)

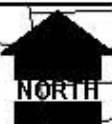
SDP1 Quality of Development
SDP7 Urban Design Context
SDP9 Scale, Massing & Appearance
H4 Houses in Multiple Occupation

Supplementary Planning Guidance

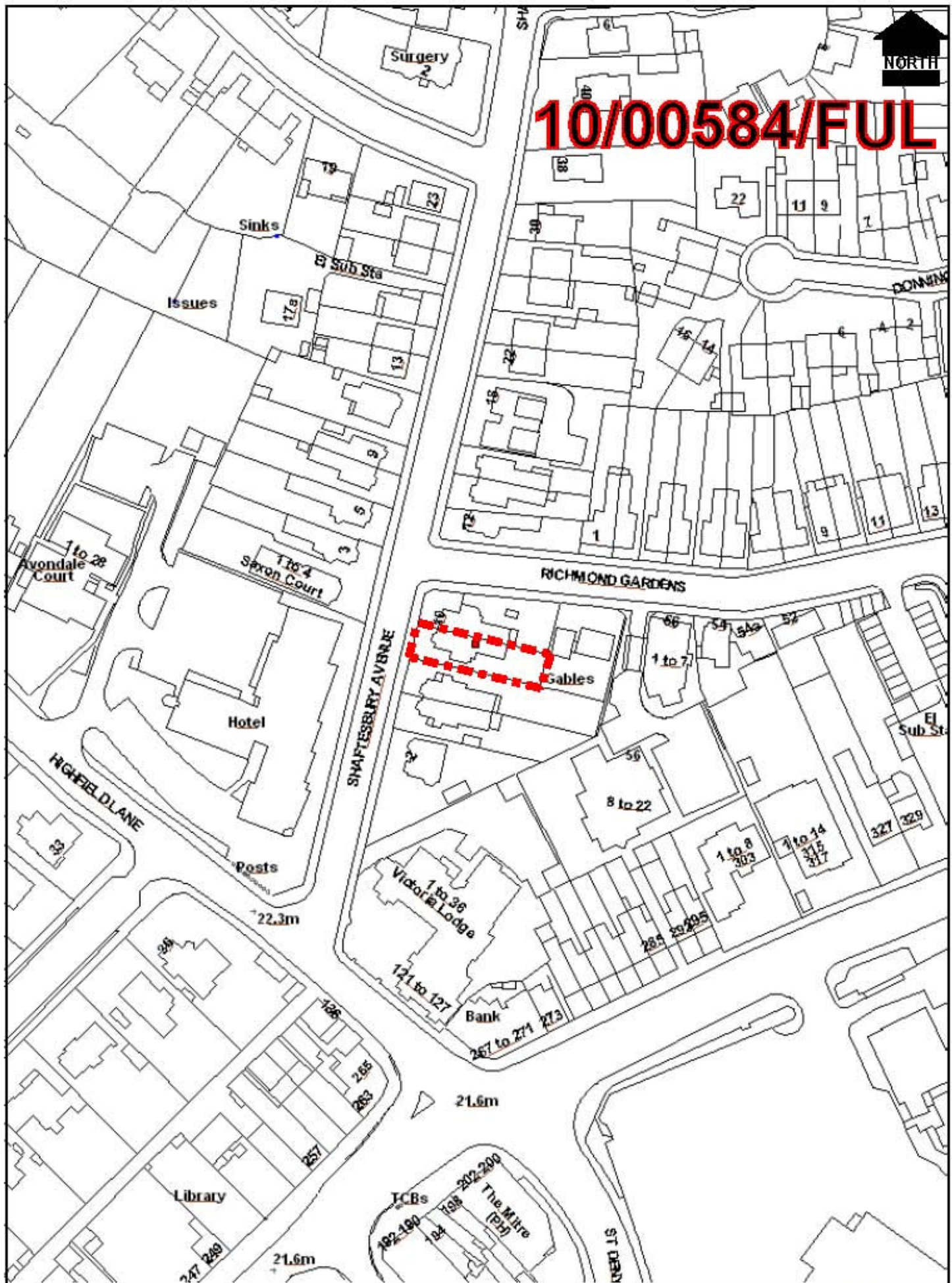
Residential Design Guide (Approved - September 2006)

Other Relevant Guidance

PPS3 Housing



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Scale : 1:1250

Date : 10 May 2011

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