

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

Application address: 18 The Parkway SO16 3PQ			
Proposed development: Change Of Use From A Dwelling House (Class C3) To A 6 - Bed House In Multiple Occupation (Hmo, Class C4)			
Application number	12/01011/FUL	Application type	FUL
Case officer	Stuart Brooks	Public speaking time	5 minutes
Last date for determination:	05.10.2012	Ward	Bassett
Reason for Panel Referral:	Referred to Panel by the Planning and Development Manager due to wider public interest	Ward Councillors	Cllr L Harris Cllr B Harris Cllr J Hannides

Applicant: Mr Freddie Gleadowe	Agent: n/a
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Recommendation Summary	Conditionally approve
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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. The proposed HMO does not exceed the threshold limit of 10% surrounding the application site in accordance with the HMO SPD and, therefore, the introduction of a HMO in this part of The Parkway will have an acceptable impact on the overall character and amenity of the area surrounding the application site. The proposal maintains a sustainable mix and balance of households in the local community, whilst meeting the need for important housing in the city. 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.

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

Appendix attached			
1	Development Plan Policies		

Recommendation in Full

Conditionally approve

1. The site and its context

- 1.1 The application is located on south side of The Parkway in the Ward of Bassett. This is an attractive and well landscaped residential street comprised of detached and semi detached dwellings with a mix of styles.
- 1.2 The application site contains a semi-detached bungalow (C3 use) with habitable rooms in the roofspace and a split level on the ground floor leading from the entrance hall. The property has 6 bedrooms (4 bedrooms on the ground floor and 2 in the roof space) and shared bathrooms on both floors. On the ground floor there is a lounge, kitchen/breakfast room, and integral garage. The area of the rear private garden is 400 square metres.

2. Proposal

- 2.1 It is proposed to convert the existing C3 single family dwelling into a 6 bedroom small C4 House in Multiple Occupation (HMO) dwelling with the provision for 1 off street parking space. There will be no external or internal changes to the building.
- 2.2 The applicant has stated that the property is currently occupied by himself as the owner occupier with a co-owner and 2 lodgers and, therefore, currently remains as a C3 family dwelling. If granted permission, they want to occupy two further bedrooms with other student friends.

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 National Planning Policy Framework came into force on 27 March 2012. Having regard to paragraph 214 of the National Planning Policy Framework the policies and saved policies set out in Appendix 1 which have been adopted since 2004 retain their full material weight for decision making purposes.
- 3.3 Following the Article 4 direction coming into affect on March 23rd 2012, the conversion of a family house into a small HMO for up to 6 people requires planning permission. The planning application will be 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.
- 3.4 The Houses in Multiple Occupation SPD was adopted in March 2012, which provides supplementary planning guidance for policy H4 and policy CS16 in terms assessing the impact of HMOs on the character and amenity and mix and balance of households of the local area. The SPD sets a maximum threshold of 10% for the total number of HMOs in the ward of Bassett which is measured from the application site within a 40m radius or the 10 nearest residential properties (section 6.5 refers).

4.0 Relevant Planning History

- 4.1 There are no recent planning records for the site other than a rear extension approved in 1980.
- 4.2 1569/W23 - ERECTION OF A SINGLE STOREY REAR EXTENSION - CAP 22.04.1980

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 (03.09.2012). At the time of writing the report **22** representations had been received from surrounding residents and **1** representation from a local Ward Councillor. The representations raised have been summarised below:

5.2 Comment

The Council should ensure that there is provision of good sized family homes for professional people (University lecturers, business managers, etc) to maintain a sustainable mixed community and support the city's economy. Providing the needs of transient occupation (such as student accommodation) should not be at the expense of the long-term stable, sustainable, community.

Response

The 10% threshold limit for the Bassett ward set out in the HMO SPD takes into the character of the local area in terms of maintaining a sustainable mix and balance of households in the community by ensuring that there is not an overconcentration of HMOs within the area surrounding the application site.

5.3 Comment

Paragraph 50 of the NPPF states that local authorities should identify the size, tenure and range of housing that is required in particular locations, reflecting local demand. The property is in a location with the appropriate type of housing for occupation by the family of a staff member of Lloyds Register offices. The needs of transient occupation (such as student accommodation) should not be at the expense of the long term stable, sustainable, community. A HMO will be out of character with the character with the local area which consists of family homes and owner occupied properties.

Response

Policy CS4 and CS16 identifies the strategic sites for the supply and need of housing in the city over the next 15 years based on the Strategic Housing Land Availability Assessment (SHLAA) and Strategic Housing Market Assessment (SHMA). The HMO SPD has identified in terms of housing demand that there is a need for additional HMOs in the city (section 5.2 refers). Although the Council are unable to precisely identify the demand, HMOs provide accommodation for a wide range of groups including young professionals, students, migrants, and young people on low incomes, often on a transient basis. As such they fulfil a very important role in meeting housing need in the city. The application retains the property for future use as a family home in accordance with policy CS16. The 10% threshold set for the Bassett ward in the HMO SPD is to ensure that the sustainability, mix and balance of the community is maintained.

5.4 Comment

The intention of the Article 4 direction is to prevent further concentrations of HMOs like those existing in central and northern wards of the city.

Response

The HMO SPD has set a limit of threshold limit of 10% for the concentration of HMOs in the Bassett Ward. Any applications for a new HMO's where the threshold limit has been exceeded in the assessment area surrounding the application site will normally be recommended for refusal by officers unless the exceptions test is demonstrated to be applicable .

5.5 Comment

The 10% limit for HMOs in East Bassett is likely to be already reached as there are high concentration of HMOs in the highest housing density including Burgess Road, The Flower Roads, parts of Copperfield Road and The Parkway, spreading into Glen Eyre Road, Elmsleigh Gardens and westwards into Oaklands Way.

Response

The guidance in the HMO SPD requires the assessment of the existing and proposed concentration of HMOs for each application to be undertaken in accordance with the 40m radius surrounding the application site. The threshold limit will ensure that there is a mixed and balanced community is maintained.

5.6 Comment

The NPPF aims to empower local people to produce their own neighbourhood plans to reflect the needs and priorities of their communities. Within the Bassett Ward, a group of residents associations see the preservation and provision of housing for a sustainable and stable community as an urgent priority.

Response

There is currently no Neighbourhood Plan adopted within the Bassett ward and, therefore, this does not form a material policy consideration.

5.7 Comment

The conversion of the property to HMO will likely result in a permanent loss of family home as multiple landlords are likely to buy it and continue renting as a HMO. As a result more landlords will invest in properties in the local area, and this will make it difficult for existing families to sell up as it will deter families living in the area due to the gradual loss of good -sized professional family homes and the increase in the number of HMOs.

Response

The 10% threshold set in the HMO SPD will put a limit on the concentration of future HMOs in the rest of Denbigh Gardens and where the 40m radius intersects properties on adjacent streets. The HMO SPD identifies there is a need for additional HMO accommodation, however, the threshold limit balances the demand for new HMOs against the need to protect the character and amenity of the local community.

5.8 Comment

There are not enough bins are provided. The bins are unable to be stored to the rear so they will look unsightly stored at the front of the property.

Response

The standards set out in the Residential Design Guide (paragraph 9.2.2 refers) states that 2x240 litre wheeled bins (one with green lid, one with blue lid) are required for households with less than 6 residents. It is therefore considered that the same number of bins provided for a family would be sufficient for the needs of a small HMO. A condition will be applied to require further details of the location of bin storage.

5.9 Comment

HMOs adversely impact on the quality of life of permanent residents. The property is built as a family home and not as a HMO, and is not suitable for such a large number of occupants. The pattern of young persons lifestyle living in a HMO, in terms of early morning and late night activity, additional vehicle movement, and additional refuse does not fit within the normal family timetable of the local area and leads to disturbance of local residents. Furthermore, the tenants have a lack of care for rented properties and leave rubbish such as furniture in the front gardens.

Response

The impact from the day to day comings and goings from the occupiers of a small HMO (between 3 and 6 people) when taking into account the enforcement of the 10% threshold is considered not to be significantly different to a family group and, therefore, will not have an adverse impact on the amenity of local residents. The Council has statutory powers under Environmental Health legislation to monitor and enforce against local nuisance and litter. The Private Sector Housing team have raised no objection to standard of living conditions for the future HMO residents, subject to complying with obligatory fire safety regulations under the Housing Act.

5.10 Comment

The front garden will be re-laid and used for parking with the removal of the front wall, which will adversely affect the character and appearance of the area.

Response

A condition can be applied to require retention of the front wall and provision of soft landscaping at the property in the interests of protecting visual amenity.

5.11 Comment

The property does not have a sufficient number of off-street parking spaces in a resident's parking zone. This will lead to increased pressure on on-street parking and increased traffic congestion.

Response

The Highway Officer has raised no objection to the proposal on grounds of parking levels or highway safety.

5.12 Comment

Will devalue property.

Response

This is not a material planning consideration.

5.13 Comment

There are already a concentration of HMOs in the local area as the properties at 2a, 5, 9 and 28 The Parkway and 4 Hurlingham Gardens are already HMOs, and a HMO being considered for permission at 3 Hurlingham Gardens.

Response

These properties fall outside the 40 metre radius and, therefore, are not counted against the threshold as set out in the HMO SPD.

5.14 Comment

Potential damage to the protected area of Bassett Wood and its wildlife from occupiers disposing their rubbish over the rear garden fence.

Response

The Council's Environmental Health team has statutory powers to enforce fly tipping.

5.15 **SCC Highways** - No objection raised, subject to agreeing secure cycle storage (1 space per bedroom) prior to occupation. The property should only benefit from a maximum of 2 parking permits which is no different to the existing situation, and as it is a resident parking zone the impact of parking overspill will be limited.

5.16 **SCC Private Sector Housing** – No objection raised, subject to complying with obligatory fire safety regulations under the Housing Act.

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 amenity of the surrounding area;
- Impact on residential amenity of neighbouring occupiers;
- Impact on highway safety;
- Standard of living conditions for future residents.

6.2 Principle of Development

6.2.1 In principle the conversion of the dwelling into a small HMO is acceptable, providing that the threshold for the maximum number of HMOs in the street does not exceed 10% (Bassett ward) of the total number of residential properties within a 40m radius of the property (measured from the midpoint of the front door). Notwithstanding the threshold other considerations will apply such as intensification of use, parking and access issues, residential amenity, etc.

6.2.2 Policy CS16 seeks to provide a mix of housing types and more sustainable and balanced communities through no net loss of family homes. The application does not result in the loss of a family home as the property will not be subdivided and, therefore, can be used as family home in the future.

6.3 Impact on the character and amenity of the surrounding area

6.3.1 The area surrounding the application site in The Parkway is characterised by mainly family homes and owner occupied properties.

- 6.3.2 The property is established as a C3 dwelling and, therefore, must be assessed against the maximum threshold limit set by the HMO SPD which is 10% in Bassett ward. The threshold determines whether the concentration of existing and proposed HMOs will detrimentally affect the balance and mix of households surrounding the application site whilst ensuring that the citywide demand for HMOs is met.
- 6.3.3 Following the guidelines of the HMO SPD, the location of existing HMOs has been surveyed within a 40m radius of the application site (**see Appendix 2**). The Council does not have an up to date database of the location of HMOs in the city, though the location of HMOs was gathered using the best information available to the Council using the Electoral Register (1st December 2011) and verification by the case officer on site. The survey shows that there are currently no HMOs within the 40m radius. The concentration of HMOs including the proposed HMO will be 9%, 1 HMO out of 11 residential properties with 10 family dwellings remaining. Local residents have stated that 2a, 5, 9 and 28 The Parkway and 4 Hurlingham Gardens are already HMOs, and there is a HMO being considered for permission at 3 Hurlingham Gardens. However, these properties are not within the radius and, therefore, not counted towards the threshold level.
- 6.3.3 The concentration of the existing and proposed HMOs does not exceed the maximum threshold of 10% surrounding the application site. The intensity and nature of use of the dwelling associated with a small HMO will not be significantly different to a family group. The introduction of a small HMO within the surrounding 10 family dwellings will not result in a significant change to the character of the local area in terms of the mix and balance of households.
- 6.3.4 It is considered that the proposed HMO will not have a detrimental impact on the overall character and amenity of the surrounding area in terms of the mix and balance of households in the local community.
- 6.4 Impact on residential amenity of neighbouring occupiers
- 6.4.1 It is considered that there will be no adverse impact on the residential amenity of local residents following the conversion of the family dwelling to small HMO in terms of the intensity and nature of comings and goings and the level amount of refuse associated with the future residents.
- 6.5 Impact on highway safety
- 6.5.1 The Highway Officer has raised no objection to the impact on highway safety, subject to agreeing secure cycle storage with Sheffield cycle stands (1 space per bedroom) prior to occupation. This could be provided in the existing garage, which does not need to be retained for car parking.
- 6.5.2 The existing boundary treatment to the front of the property will be retained under a condition. The proposed development does not increase the number of bedrooms or floor space therefore the increase in trips will be fairly limited. The on-street parking in this area is restricted with parking permits and that this property should be only eligible for a maximum of 2 parking spaces – which is the same as the existing site. So in terms of maximum impact on the local on-

street parking, it remains the same. Therefore, it is considered that the proposal will have an acceptable impact on highway safety.

6.6 Standard of living conditions for future residents

6.6.1 The Private Housing team are satisfied with the standard of accommodation for future residents, which will meet the SCC Amenity Standards for HMOs in relation to kitchen and bathroom facilities for 6 persons. However, they have raised concerns with regard to fire safety precautions. This matter should be dealt with outside the planning system under separate legislation through the Housing Act. The applicant will be informed that the HMO will require approval from the Council's Private Sector Housing team for works in relation to fire precautions such as a fire alarm system, emergency lighting and fire doors. The provision of amenity space is well in excess of the minimum standards to serve the property. Therefore, it is considered that the standard of living conditions will be acceptable for future occupiers.

7.0 Summary

7.1 In summary, the proposed HMO does not exceed the threshold limit of 10% surrounding the application site in accordance with the HMO SPD and, therefore, the introduction of a HMO in this part of The Parkway will have an acceptable impact on the overall character and amenity of the area surrounding the application site. The proposal maintains a sustainable mix and balance of households in the local community, whilst meeting the need for important housing in the city.

8.0 Conclusion

8.1 In conclusion, the proposal will be in accordance with the Council's current adopted guidance and policies and have acceptable impact. As such the proposal is recommended for conditional approval.

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), 4(qq), 6(c), 7(a), 9(a), 9(b).

SB for 16/10/12 PROW Panel

PLANNING CONDITIONS

01. APPROVAL CONDITION - Full Permission Timing Condition - Change of use

The use 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 - Cycle storage [Pre-Occupation Condition]

The development to which this consent relates shall not be brought into use in full or in part until details for a secure, covered space has been laid out within the 6 bicycles to be

stored and for cycle stands to be made available for the occupiers have been submitted and agreed in writing with the Local Planning Authority and thereafter implemented in accordance with the agreed details. The cycle store and cycle stand hereby approved shall thereafter be retained on site for those purposes.

Reason:

To encourage cycling as an alternative form of transport.

03. APPROVAL CONDITION - Refuse & Recycling [Pre-Commencement Condition]

Prior to the first occupation of the use hereby approved details (and amended plans) of facilities to be provided for the storage, removal and recycling of refuse from the premises shall be submitted to the Local Planning Authority and approved in writing. Such facilities as approved shall provide for a level approach and be permanently maintained and retained for that purpose.

Reason:

In the interests of visual amenity, the amenities of future occupiers of the development and the occupiers of nearby properties and in the interests of highway safety.

04. APPROVAL CONDITION - Residential - 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 building or structures within Schedule 2, Part 1, Classes as listed below shall be erected or carried out to any dwelling house hereby permitted without the prior written consent of the Local Planning Authority:

Class A (enlargement of a dwelling house), including a garage or extensions,
Class B (roof alteration),
Class E (curtilage structures), including a garage, shed, greenhouse, etc.,

Reason:

In order that the Local Planning Authority may exercise further control in this locality given the small private garden and amenity areas provided as part of this development in the interests of the comprehensive development and visual amenities of the area.

05. APPROVAL CONDITION - Retention of existing boundary treatment

The existing front boundary treatment shall be retained until the C4 use hereby approved ceases. The hedge shall be replaced should it be removed in accordance with details to be agreed and submitted in writing by the Local Planning Authority.

REASON

In the interests of protecting visual amenity of the local area.

06. 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.

POLICY CONTEXT

Core Strategy - (January 2010)

CS4 Housing Delivery
CS16 Housing Mix and Type

City of Southampton Local Plan Review – (March 2006)

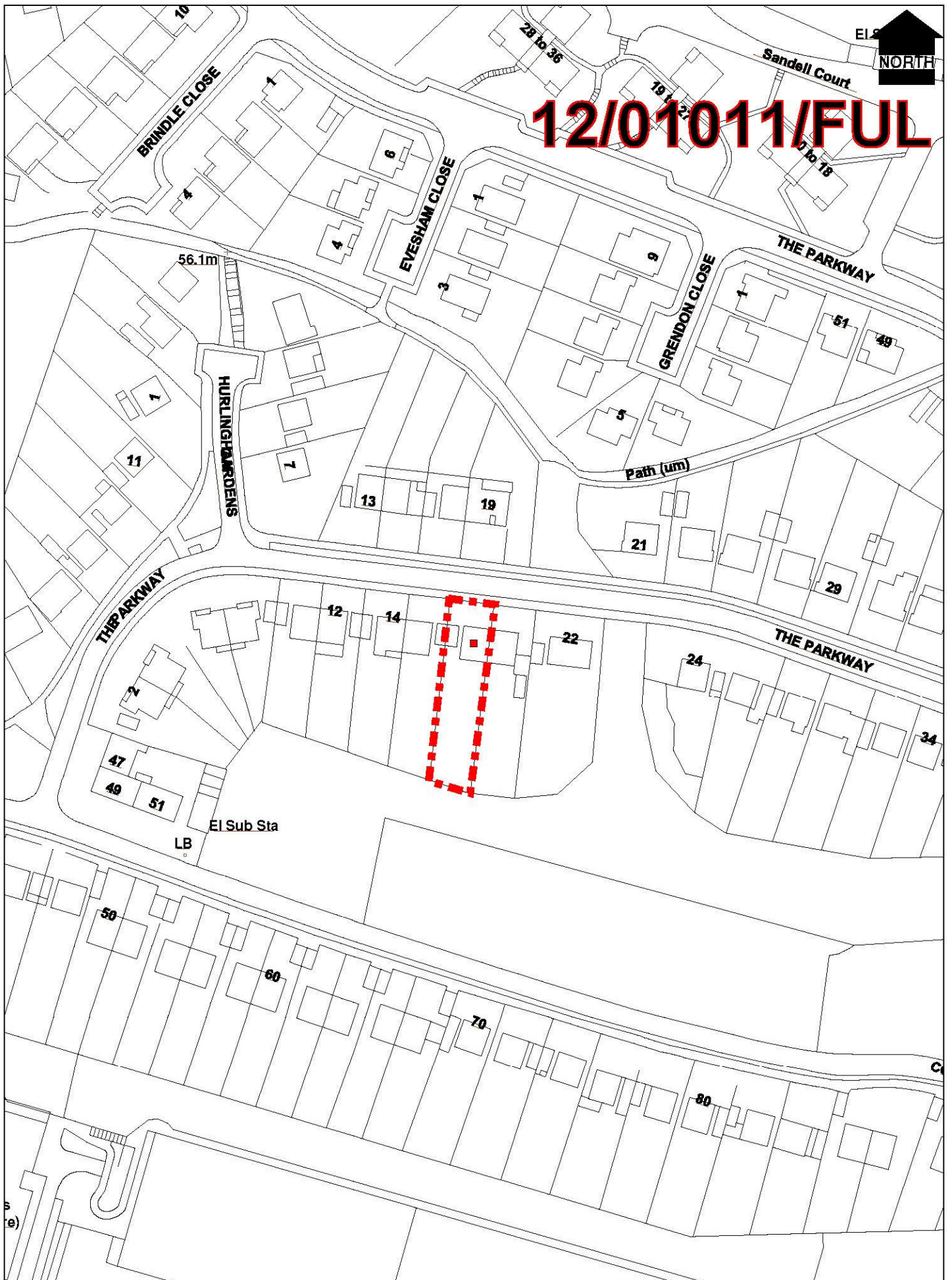
SDP1 Quality of Development
SDP7 Urban Design Context
SDP9 Scale, Massing & Appearance
H4 Houses in Multiple Occupation

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)
Houses in Multiple Occupation (Approved – March 2012)

Other Relevant Guidance

National Planning Policy Framework



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