

**Planning, Transport & Sustainability Division
 Planning and Rights of Way (EAST) Panel - 19 January 2016
 Planning Application Report of the Planning and Development Manager**

Application address: 55 Rockleigh Road			
Proposed development: Conversion of integral garage to living accommodation			
Application number	15/02126/FUL	Application type	FUL
Case officer	Anna Coombes	Public speaking time	5 minutes
Last date for determination:	26/01/2016 (Extension of time)	Ward	Bassett
Reason for Panel Referral:	6 Objections and request from Ward Councillor	Ward Councillors	Cllr L Harris Cllr B Harris Cllr Hannides
Referred by:	Cllr B Harris	Reason:	Increased parking pressures

Applicant: Mr Thomas Axton	Agent: None
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Recommendation Summary:	Conditionally approve
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Community Infrastructure Levy Liable:	Not applicable
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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. 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 the development plan as required by 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 and SDP9 of the City of Southampton Local Plan Review (as amended 2015) and CS13 of the Local Development Framework Core Strategy Development Plan Document (as amended 2015).

Appendix attached			
1	Development Plan Policies		

Recommendation in Full:

Conditionally approve

1. The site and its context

- 1.1 The application site is a modern two-storey, semi-detached dwellinghouse, located on the southern side of Rockleigh Road, near to the junction with Thornhill Road. At present, the property includes a small integral garage at ground floor level, within the front elevation, and also comprises a kitchen / breakfast room at ground floor, lounge / diner and 1 bedroom at first floor with a further 2 bedrooms within the roof. There is an area of private amenity space to the rear of the property of approximately 30m² (approximately 35m² functional amenity space, when including the private amenity space along the southwest side of the property).
- 1.2 The property is located in a residential area characterised by two-storey, semi-detached and terraced houses of various ages, some of which have integral or attached garages, but most of which have no off-street parking. There are 2 access roads providing access to the rear of properties on either side of Rockleigh Road and some properties benefit from rear parking garages here.
- 1.3 The application property currently benefits from off-road parking for one car within the existing integral garage and there is a dropped kerb to the front of the property to provide access to this garage. There is a small section of driveway between the pavement and garage entrance, however this is not large enough to accommodate a car. This property does not have parking to the rear.

2. Proposal

- 2.1 Permission is sought for the conversion of the existing integral garage in order to extend existing living areas and create a dining room. The only structural alterations proposed are to remove the side-hung garage doors on the front elevation, part-infill the opening with matching brickwork, and install a tripart window to match the existing style.
- 2.2 There will be no change to the height or footprint of the building. The proposed alterations would normally be achievable under the householders' permitted development rights. Planning permission is only required for these works to this property due to Condition 7 of the original planning consent 04/00538/FUL:

04/00538/FUL - Condition 7 - Before any dwelling unit hereby approved is occupied, both the on-site car parking and a proper vehicular access relating to it shall be provided to the satisfaction of the Local Planning Authority. The car parking shall thereafter be permanently retained for that purpose and shall not be used for any trade, business or industrial use. REASON To ensure provision of vehicular access and car parking, to avoid congestion in the adjoining area and to protect the amenities of the area.

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.

4. Relevant Planning History

4.1 04/00538/FUL - Redevelopment of the site to provide a pair of semi-detached 3-bedroom townhouses with integral garages – Conditionally approved 19.08.2004

This revised application addressed the previous reasons for refusal (given below) by moving the building line further back from the pavement to give better sight lines for access to the integral garages; re-designing the roof to reduce the height and bulk of the roof and add to traditional dormer windows to the front roof slopes to integrate more with the character of the streetscene; and re-organising the layout of internal rooms to reduce the potential for overlooking of neighbouring properties.

03/01778/FUL - Redevelopment of the site to provide 2 x 3 bedroom town houses with integrated garages – Refused 06.02.2004:

REASON FOR REFUSAL - Character and Amenity

The proposed development is considered to be an over-development of the site and by virtue of its height, siting, design, external appearance and proximity to boundaries, represents an unduly dominant form of development that is overbearing within the streetscape, would be out of character with surrounding development within the locality and would result in an unreasonable extent of overshadowing and loss of privacy to neighbouring properties. Accordingly, it would result in an unneighbourly form of development that would result in a loss of amenity for neighbouring residents.

REASON FOR REFUSAL - Highways

The proposed development fails to provide sufficient on-site car parking, and an insufficient setback has been provided to the garages, resulting in insufficient visibility of the adjoining highway. The development will compromise the safety and convenience of users of the adjoining highway.

5. Consultation Responses and Notification Representations

5.1 Highways Development Management: The garage proposed to be converted to a dining room is smaller than the current planning minimum size for a garage, and as a result may not be suitably sized to house a modern average sized family car. As a result, it is possible the garage does not get used for the purpose it was designed for. The forecourt area in front of the garage is of insufficient dimensions for a car to be parked on it.

Because of access to the garage, an on street parking space is lost, which can only sensibly be used by the occupier of the property in question who then has control of the blocked garage access. If the garage does not exist, then this parking space would become available for anyone to use, as no individual has a right to park in a particular place on the public highway. I therefore raise no objection to the proposal as effectively no parking space is being lost, and I cannot foresee any highway safety issue.

You may be minded to ask for a parking survey but I do not consider the proposal will materially change the circumstances of the area.

I would like to see conditions applied to any consent to ensure:

The redundant dropped kerb crossing shall be reinstated to a full height kerb and the footway levels reconstructed to suit. This work requires a licence to be obtained from Balfour Beatty our highways partners, contact Paul Clarke.

The front wall shall be reconstructed to form a boundary to the property, preventing the risk of a vehicle being parked partially obstructing the footway whilst being partially on the front forecourt of the property.

5.2 Notification Representations

5.2.1 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 7 representations have been received from surrounding residents (6 Objections : 1 Support) and 1 from Ward Councillor B Harris. The following is a summary of the points raised:

5.2.2 **Increased Parking Pressure: The proposal will result in the loss of one off-street parking space, resulting in additional demand for on-street parking in an area already under pressure, particularly as this is rated as a Public Transport Accessibility Level (PTAL) Low Accessibility area and due to over-spill parking from the nearby sports centre. Highways comments on the original refused application (03/01778/FUL) required 2 parking spaces, but the building only has 1 space.**

RESPONSE: The applicant has supplied a parking survey to justify the loss of the off-street parking space. This is discussed in more detail below. Local and national planning policy considerations have changed considerably since the original planning application for the application property was approved. Current Parking standards require a maximum of 2 spaces for a 3 bed house. The Council's Parking Standards Supplementary Planning Document (SPD) states that a lower provision can be proposed, and that this can be provided via both off-street and on-street parking spaces, subject to providing evidence that the surrounding roads have capacity.

The applicant has also made it clear that they do not currently use the garage, as it is too small for their car, so the current situation of them parking on the road will remain unchanged by this proposal. Although the size of the existing garage met the size standards at the time of the originally approved application, it does not meet the current required standards for an off-street garage car parking space, which have increased to 6m x 3m (adopted in 2011), recognising that car sizes have increased in the intervening years.

5.2.3 **Amenity Space and Overdevelopment: The new room could be used as an additional bedroom, increasing the number of occupants and increasing pressure on insufficient amenity space. The property could also be used as an HMO.**

RESPONSE: A condition could be applied to any consent granted to ensure the newly created room is not used as an additional bedroom, and only as stated on the submitted plans. If the owner wishes to rent the property as an HMO, they will

need to apply for planning permission to do this and a full assessment will be made at that time. The Council can control both of these issues through enforcement action.

5.2.4 Design and Appearance: The change in appearance of the front elevation will unbalance these semi-detached properties. The change will be more noticeable due to the fact these properties stand forward of the building line.

RESPONSE: Design and appearance are discussed in more detail below.

5.2.5 Breach of Planning Conditions: The development, as a whole, is already in breach of various planning conditions relating to permission 04/00538/FUL.

RESPONSE: The Council's Building Control records show that the building work was approved and a completion certificate for the development issued on 27th April 2006. Given that more than 4 years have passed since this date, the development would be immune from enforcement action relating to this original planning permission. Furthermore, there have been no previous enforcement complaints regarding the development.

6. Planning Consideration Key Issues

6.1 The determining issues for this application relate to; a) whether the proposed conversion of the garage is acceptable in principle; b) whether the proposed development would have a harmful impact on parking in the local area; c) whether the proposal would have a harmful impact upon the character of the property or local area; and d) whether the proposal would have a harmful impact upon the residential amenities of surrounding neighbours or the occupants of the host dwelling.

6.2 Principle of Development

The proposal to convert the existing garage into internal living accommodation would not result in changes to the size or footprint of the building and is not considered to have a significant impact on the visual appearance of the property. As such, the proposal is considered to be acceptable in principle.

6.3 Impact on Parking in the Local Area

6.3.1 As discussed briefly above, the originally approved application 04/00538/FUL included a condition requiring the retention of the existing integral garage (Condition 7). This was in order to retain control of the impacts of new development on parking in the local area. As a result of this condition, this current application has been submitted for consideration.

6.3.2 The application site is located in a low Public Transport Accessibility Area, with unrestricted parking along Rockleigh Road and nearby Thornhill Road. The property currently provides one off-street car parking space within the existing integral garage, however this off-street parking space falls below the current minimum standards for garage parking spaces. As a result of this application, the off-street garage parking space will be lost, but an additional on-street parking space will be gained by re-instating part of the dropped kerb in front of the existing garage. On-street parking spaces are not allocated to particular properties,

however the overall gain in one car parking space being made available within the road is considered to balance this loss of an off-street parking space.

6.3.3 It is noted that the application site is very close to the junction with Thornhill Road, so it is not unreasonable to assume that occupants of the application property could comfortably use spaces here, where there is greater available parking capacity, rather than Rockleigh Road, where there is more pressure on on-street parking.

6.3.4 The applicant has provided a parking survey to support their application, following the recommended Lambeth Model methodology, which reviews the parking capacity within a 200m walking distance radius of the application site. In summary, the survey recorded the following levels of occupied parking spaces:

Tuesday 29 th December	18:15–19:00	Rockleigh Road 73%	Thornhill Road 52%
Saturday 2 nd January	16:15–16:45	Rockleigh Road 67%	Thornhill Road 41%
Sunday 3 rd January	00:30–01:00	Rockleigh Road 87%	Thornhill Road 33%

6.3.5 The survey demonstrates that there is still a reasonable level of parking capacity remaining in Rockleigh Road itself and ample parking capacity available in Thornhill Road, and reinforces the brief assessment made on site visit that there is sufficient capacity in the local area to accommodate an additional car parked on the street without causing significant harm to the amenity of local residents, or creating additional highway safety concerns (Thursday 3rd December 07:50 – 08:10 Rockleigh Road approximately 77% Thornhill Road approximately 50%). Furthermore, the release of additional parking capacity for one car at the front of the property, by removing the garage and re-instating the dropped kerb, will also have a neutral impact on parking capacity.

6.4 Impact upon the Character of Existing Property and the Local Area

6.4.1 The proposed tripart window will follow the proportions of the existing double garage doors in width, with the lower section of the garage opening infilled with matching brickwork. The specifications for this window and the infill brick are proposed as matching the colour, style and detailing of the existing windows and brickwork on the property and this can be secured by condition.

6.4.2 It is noted that the existing building is forward of the general building line in the street and that the existing semi-detached pair mirror each other in positioning of windows and garage doors, however the proposed window will retain this rhythm of window and door openings on this elevation by following the width of the existing garage doors. There is already some difference between the front elevations of these two properties by the use of garage doors with partial glazing to number 57 and the use of plain wooden garage doors to number 55.

6.4.3 It is also worth noting that there are very different types of dwelling and window treatments on either side of the property and on the opposite side of the road, so there is no clear uniform design character in the immediate area. Given the details discussed above, it is not considered that the proposal would be significantly harmful to the character of the property or the local area.

6.5 Impact upon Residential Amenity

No new side-facing windows are proposed and there are no changes to the size

or footprint of the existing building. There will be a new ground floor window introduced to the front elevation, which will light a habitable room, however there are no residential properties opposite the application site, so this is not considered to cause any significant increase in overlooking, therefore the proposal is not considered to present any significant harm to the residential amenity of neighbouring properties. Similarly, there will be minimal impact on the existing usable amenity space as a result of the development and, therefore, the amenity of the occupants of the host dwelling shall not be harmed.

7. Summary

7.1 The applicant has demonstrated that there is capacity in the local area for additional on-street parking without harm to residential amenity or highway safety, and the proposal will have a neutral impact on on-street parking in the vicinity. This proposal does not increase the size or footprint of the existing building and the proposed materials and window design respect the existing materials and visual rhythm of the front elevation, so the proposal is not considered out of character with the property or the wider streetscene. In addition to this, there will be no harm caused to the residential amenity of neighbours caused by overlooking, or to the occupiers of the host dwelling caused by impact on the rear amenity space.

8. Conclusion

The proposal for conversion of the existing garage into internal living accommodation is considered to be acceptable in principle as unacceptable harm shall not be caused to neighbouring amenity or highway safety. In addition 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) and 4(f)

AC for 19/01/16 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. 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.

03. 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.

04. Limitation on number of bedrooms

The new internal space labelled "Dining Room" on the approved plans for the conversion hereby approved shall only be occupied as a communal area and shall not be occupied as an additional bedroom without the grant of further specific permission from the Local Planning Authority.

Reason: To control the number of occupants of the property to protect the residential amenity of both the occupiers of the host dwelling and neighbouring residents.

Note to Applicant

The redundant dropped kerb crossing in front of the garage conversion hereby approved should be reinstated to a full height kerb and the footway levels reconstructed to suit. Please note that this work requires a licence to be obtained from the Highways Authority.

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS13 Fundamentals of Design

CS19 Car and Cycle Parking

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

SDP1 Quality of Development

SDP5 Parking

SDP7 Urban Design Context

SDP9 Scale, Massing & Appearance

Supplementary Planning Guidance

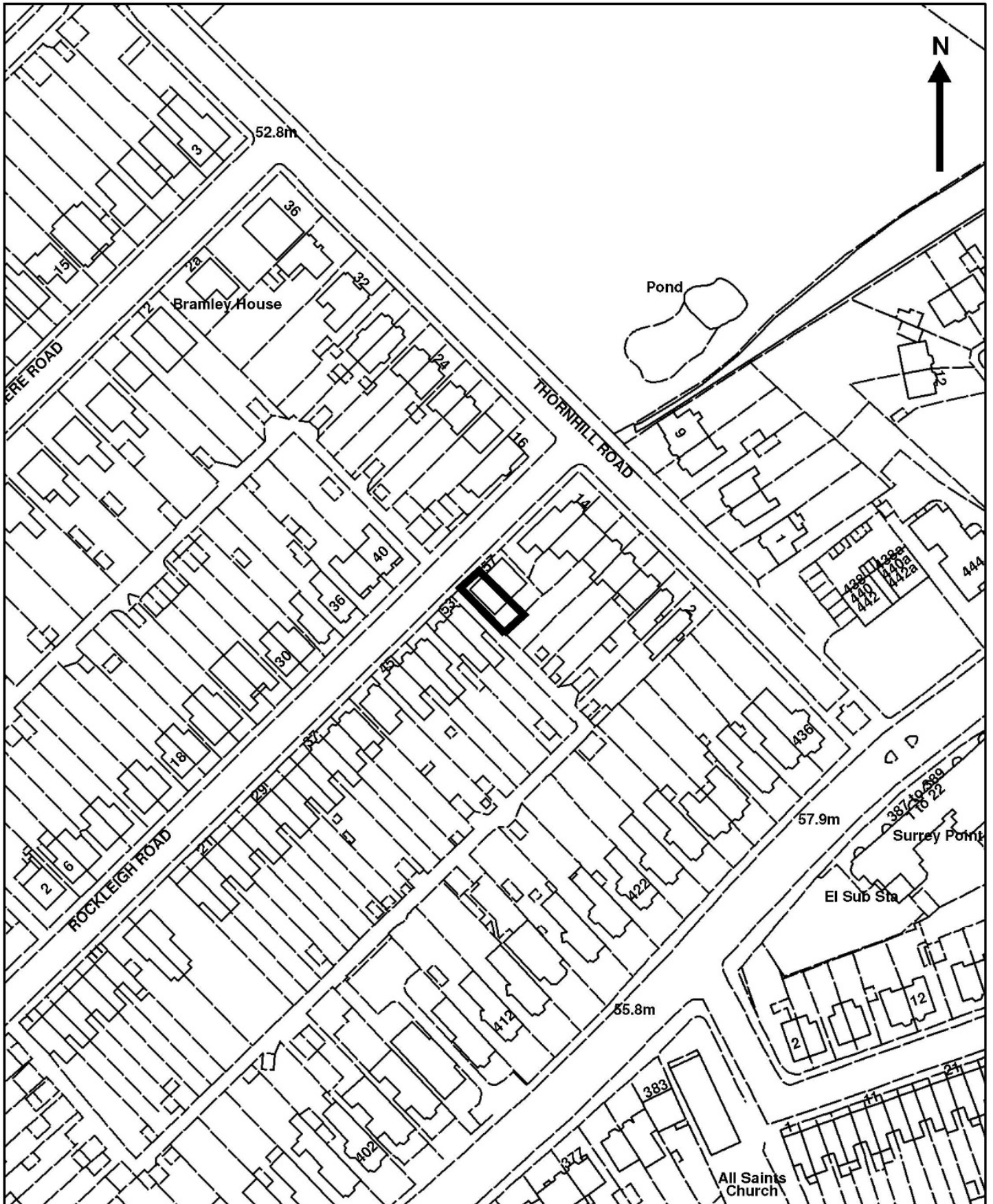
Residential Design Guide (Adopted - September 2006)

Parking Standards (Adopted – October 2011)

Other Relevant Guidance

The National Planning Policy Framework (2012)

15/02126/FUL



Scale: 1:1,250

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