Planning and Rights of Way Panel 14th July 2020 Planning Application Report of the Head of Planning & Economic Development

| Application address: 111 Alma Road | | | | |
|---|---------------|------------------------------------|---|--|
| Proposed development: Erection of part single and two-storey rear extensions and roof alterations with dormers to front and rear to allow conversion of existing dwelling to 1 x three bedroom and 5 x one bedroom apartments with associated works (amendment of 19/02122/FUL). | | | | |
| Application number: | 20/00550/FUL | Application type: | FUL | |
| Case officer: | Stuart Brooks | Public speaking time: | 5 minutes | |
| Last date for determination: | 22.06.2020 | Ward: | Bevois | |
| Reason for Panel Referral: Five or more letters objection have been received | | Ward Councillors: | Cllr Kataria Cllr Rayment Cllr Barnes-Andrews | |
| Referred to Panel by: | n/a | Reason: | n/a | |
| Applicant: Jaz Rai | | Agent: ACA Design Ltd | | |
| Recommendation Summary | | Delegate to the Head of Planning & | | |

| Recommendation Summary | Delegate to the Head of Planning & Economic Development to grant planning permission subject to criteria listed in report |
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| Community Infrastructure Levy Liable | Yes |
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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 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 39-42 and 46 of the National Planning Policy Framework (2019). Saved Policies - SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP12, SDP13, H1,H2, H7 of the City of Southampton Local Plan Review (Amended 2015) and CS4, CS5, CS7, CS13, CS16, CS18, CS19, CS20, CS22, CS25 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015).

| Ap | Appendix attached | | | | |
|----|--------------------------------|---|-------------------------------------|--|--|
| 1 | Habitats Regulation Assessment | 2 | Development Plan Policies | | |
| 3 | Relevant Planning History | 4 | Details of application 19/02122/FUL | | |

Recommendation in Full

- 1. That the Panel confirm the Habitats Regulation Assessment in *Appendix 1* of this report.
- 2. Delegate to the Head of Planning & Economic Development to grant planning permission subject to the planning conditions recommended at the end of this report and the completion of a S.106 Legal Agreement to secure:
 - Financial contributions towards site specific transport contributions for highway improvements in the vicinity of the site in line with Policy SDP4 of the City of Southampton Local Plan Review (as amended 2015), policies CS18 and CS25 of the adopted LDF Core Strategy (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013);
 - ii. Submission of a highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer.
 - iii. Either a scheme of measures or a financial contribution to mitigate against the pressure on European designated nature conservation sites in accordance with Policy CS22 of the Core Strategy and the Conservation of Habitats and Species Regulations 2017.
- 3. That the Head of Planning & Economic Development be given delegated powers to add, vary and /or delete relevant parts of the Section 106 agreement and/or conditions as necessary. In the event that the legal agreement is not completed within a reasonable period following the Panel meeting, the Head of Planning & Economic Development be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.

1. The site and its context

- 1.1 This site is located on the southern side of Alma Road comprising of a two storey detached dwelling within a large spacious plot (757sqm), set back from the street by a front forecourt. To the rear of the plot there is a large single storey outbuilding used for ancillary purposes to the property (as checked and confirmed by the Planning Enforcement team in February 2020).
- 1.2 The surrounding context is characterised as suburban residential with a mixed style of two storey dwellings. The locality has a diverse mix of flatted, HMOs and family households. Where the roofline alternates within the street scene, there are examples of taller pitched gabled roofs interspersed amongst smaller two storey Victorian villas in Alma Road. The site falls outside of the Avenue Conservation Area which lies 37m to the west (including the property 121 Alma Road), and on the corner with The Avenue is located the grade II listed St Andrews Church. Alma Road and other nearby streets in the locality are controlled by a daytime parking permit scheme (08.00 to 18.00 hours Monday to Saturday), and lies within close walking distance of The Avenue which is served by a frequent bus corridor into the city centre.

2. Proposal

2.1 This application seeks permission for the erection of part single and two-storey rear extensions and roof alterations with the installation of dormers to front and

rear to allow for the conversion of existing single family dwelling into 1 x three bedroom and 5 x one bedroom apartments.

- 2.2 This amended scheme seeks to address a previous application that was refused under delegated powers in February 2020 (Ref 19/02122/FUL). The plans and decision notice for this refused application are set out in *Appendix 4*. The main differences between the current and refused application are:-
 - The removal of the rear parking court The rear part of the site (currently used as parking and amenity space) will be formally laid out as garden space to serve the new dwellings and the existing ancillary outbuilding retained for cycle storage;
 - Design & Appearance The simplification of the roof extensions and reduction in their overall bulk and mass through the removal of front gable feature and breaking up the long rear dormer into two small individual dormers. These changes are denoted by the longer dashed lines on the proposed drawings.
- 2.3 The lawful use of the building is currently a single family dwelling (class C3 use). The proposal seeks to retain a 3 bedroom family dwelling as part of the mix of development at the rear on the ground and first floor with direct access to its own private amenity space of 45sqm. The following schedule of accommodation and floor space is proposed for the conversion to flats:-
 - Flat 1 (1 bedroom) = 38sqm
 - Flat 2 (2 bedroom) = 44sqm
 - Flat 3 (3 bedroom) = 96sqm
 - Flat 4 (1 bedroom) = 41sqm
 - Flat 5 (1 bedroom) = 37sqm
 - Flat 6 (1 bedroom) = 56sqm (36sqm with ceiling headroom over 2m)

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) and the City Centre Action Plan (adopted 2015). The most relevant policies to these proposals are set out at **Appendix 1**.
- 3.2 The National Planning Policy Framework (NPPF) was revised in 2019. Paragraph 213 confirms that, where existing local policies are consistent with the NPPF, they can been afforded due weight in the decision-making process. The Council has reviewed the Development Plan 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.
- 3.3 Policy CS4 acknowledges that new homes will generally need to be built at higher densities. New dwellings coming forward on suitable windfall sites will contribute towards delivering the Council's strategic target for housing supply.

3.4 Policy CS5 acknowledges that whilst there is continuing pressure for higher densities in order to deliver development in Southampton, making efficient and effective use of land, however, the development should be an appropriate density for its context, and protect and enhance the character of existing neighbourhoods.

4. Relevant Planning History

4.1 A schedule of the relevant planning history for the site is set out in *Appendix 2* of this report. This resubmission seeks to address a previous refusal.

5. 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 <u>12</u> representations (10 objections and 2 support) have been received from surrounding residents. The following is a summary of the points raised:
- 5.2 Poor design. Roof alterations and massing of the proposed extensions are out of character with the existing dwelling and street scene, and would be harmful to the conservation area and almost opposite the listed St Andrews Church.

Response

The amended design in relation to the previously refused scheme design is considered to address the previous concerns held by officers. The reduction in size and simplified configuration of the elements forming the roof extension would not be out of keeping with the undulating roofline and style of other properties in Alma Road. The building is not within the conservation area and is far enough away not to cause a significant visual and character impact, including the affecting the setting of the listed church which is located 35m away at the end of Alma Road.

5.3 Loss of privacy, light and outlook to neighbours Response

There were no concerns raised by officers with regards to loss of privacy and light under the previously refused scheme. The resubmitted scheme does not introduce any new concerns as the position of windows effectively remain the same and the massing has been reduced in relation to the previous concerns over the relationship between the adjacent property at 109 Alma Road. Now, using the 45 degree code test in the correct and accurate way, the applicant has demonstrated that the depth of the first floor extension would not be harmful to the nearest first floor window of adjacent property at no. 109, whilst on balance the living conditions of the ground and first floor flats of no. 109 would not be harmed in relation to their side facing windows adjacent to the site boundary.

5.4 Generate more traffic on busy streets. Insufficient off-road parking provided to accommodate greater parking demand leading to parking stress for local streets and obstructions to free flow of traffic including refuse vehicles. There is no guarantee that the back garden will become a parking area and the landscaping will be provided. The cycle storage could be used for residential accommodation given its size. Insufficient bin storage.

Response

With minor amendments to prevent tandem parking in the driveway, the Highways Officer is satisfied that there would be no adverse harm to highways safety. The local street parking controls would minimise the potential for adverse harm to residential amenity from overspill in relation to the parking demand from the new flats and residents would not be entitled to permits under current Council policy. Any existing permits would still remain for the same postal address. A condition is recommended to implement the development in accordance with the plans to provide the amenity space and retain for the duration of use, and details of adequate bin and cycle storage would be secured by condition. The number of smaller household bins can be condensed into larger eurobins to have less of a visual impact and make it easier to manage refuse collection and storage. Condition 12 recommended requires the existing building to be used for ancillary purposes to the residential use of the site, so this would prevent the building being used for separate living self contained living accommodation.

5.5 Up to 15 persons living at the property in a space for a single family dwelling. Overdevelopment, over-intensification & inadequate space available for amenities of future occupiers given the large building footprint. Greater noise impact to neighbours due to significant increase in number of residents. Loss of family home and increase the imbalance between transient residents where there is already an over-provision of 1 bedroom flats and long-term owner-occupied family households in the community. The 3 bedroom unit could be used as a HMO. Response

Planning permission is required in its own right to change the use of the 3 bedroom unit into a C4 HMO. The site is already occupied by a 4 bedroom house. In addition to the intensity of this existing use, the 1 bedroom flats are intended for single occupancy however couples could live in each flat. The planning assessment should have regard that the behaviour of the future occupants would be in a reasonable manner, whereas noise and disturbance associated with the occupation of property can be enforced under separate Environmental Health legislation if deemed to be statutory noise nuisance. The creation of higher density housing is not uncharacteristic of the varied mix and nature of other housing, including existing flats, already within the street. The higher density of development of 80 dwellings per ha (dph) proposed is in accordance with the 50-100dph range set out as a guideline for housing development under policy CS5, whilst the site's low density of 13dph shows that the use of plot is well under-utilised with the potential to make more efficient use of the previously developed land to create windfall housing within a sustainable location. The Council has refused a backland redevelopment of the site in 2008 (LPA ref no. 08/01107/FUL) and the use of the property as an HMO (LPA ref no. 14/02115/FUL). So the current flatted scheme has markedly greater benefits to the character of the area by i) diversifying the mix of households with housing for smaller households and retains a suitable family home, and ii) retains the visual character of the street frontage by retaining the existing property and eliminating the possibility of backland development on a residential garden. The developer will continue to seek to invest in their property. In doing so, they have already been rejected by the Council on several attempts to intensify the residential use of their land. That said, a balance will need to be struck in acknowledging the opportunities offered to modernise and repurpose the older housing stock and make more efficient use of the spacious plot for further housing. Although

attractive in its own style, the existing dwelling does not fall within a conservation area and does not have any statutory protection.

5.6 Poor living conditions. These are small flats where their floor areas barely meet national minimum floor space standards. Response

The national floor standards are only a guideline as the Council has not adopted the standards as local policy, however, in comparison to typical residential schemes approved elsewhere in the city the accommodation will provide good quality housing and would not be overly cramped in size.

5.7 Further pressure to local drainage and sewer infrastructure. The proposed drainage is not shown on the plans. Reduction in green space for surface water drainage.

Response

Southern Water have raised no objection. A substantial part of the rear garden is to be retained as lawn and permeable paving is proposed and therefore the proposal will have a negligible surface water drainage impact.

5.8 Support – The proposed extension would not be harmful to the amenity of the neighbouring occupiers. The proposed extension would not be out of keeping with other properties with loft conversions in the street. Due to street parking restrictions, this will discourage car ownership and encourage more sustainable modes of transport. The proposal helps meet demand for affordable transport.

Response

Comments noted.

Consultation Responses

- 5.9 **SCC Highways** No objection subject to minor change to reduce the length of the driveway to prevent tandem parking by installing a permanent barrier/means of enclosure such as a close boarded timber fence.
- 5.10 **SCC Sustainability Team** No objection subject to condition to increase efficiency of water use.
- 5.11 **Southern Water** No objection and request an informative regarding connection to the public foul sewer.

6.0 Planning Consideration Key Issues

- 6.1 The key issues for consideration in the determination of this planning application are:
 - The principle of development;
 - Design and effect on character;
 - Residential amenity;
 - Parking highways and transport;
 - Air Quality and the Green Charter;
 - Mitigation of direct local impacts and:
 - Likely effect on designated habitats.

6.2 Principle of Development

- 6.2.1 Whilst the site is not identified for development purposes, the Council's policies promote the efficient use of previously developed land to provide housing. The site is not allocated for housing however it represents an opportunity for windfall housing. The Local Development Framework Core Strategy identifies the Council's current housing need and this scheme would assist the Council in meeting its targets. The City has a housing need. As detailed in Policy CS4 an additional 16,300 homes need to be provided within the City between 2006 and 2026. However it should be noted that up to 2021/22 the Council has sufficient completions and allocations without needing to rely on any windfall housing.
- 6.2.2 The detached property is a single family dwelling which currently has more than 3 bedrooms with access to its own amenity space of at least 90sqm. In order to maintain mixed and balanced communities and opportunities for home ownership for families to live within the local area, policy CS16 resists the net loss of 3 bedroom family homes (or bigger) with access to its own private and usable amenity space of a minimum size of 20 sqm (being converted to a flat as part of the development mix). In this instance, the quality and layout of the family dwelling (3-bed flat with direct access to private amenity space) being reprovided would be a suitable replacement and, therefore, the proposal would not result in a net loss of family dwellings as part of the development mix in accordance with policy CS16.
- 6.2.3 Policy CS5 confirms that in medium accessibility locations such as this, density levels should generally accord with the range of 50-100 dph, although caveats this in terms of the need to test the density in terms of the character of the area and the quality and quantity of open space provided. The proposal would achieve a higher residential density of 80 dph and make greater use of the spacious plot with a low density of 13dph. The impact of the proposal on the local character is further discussed in the report below and in paragraph 5.5.
- 6.2.4 The principle of development is therefore supported to optimise the use of the previously developed land to deliver a windfall site of 5 small flats (ideal for lower income households) to contribute towards the city's housing need whilst retaining a suitable family home as part of the mix of development. In determining the application, the planning balance of the overall gains and losses arising from the development should be weighed up in relation to the socio-economic and environmental objectives of the development plan.

6.3 Design and effect on character

- 6.3.1 The higher density of the development proposed and the subdivision of the property into flats would not be uncharacteristic of the established character of the area. The under-used spacious plot offers scope to increase the density to deliver more housing on site to make a significant uplift from the existing 4 bedroom family home.
- 6.3.2 It is noted that the character and style of the properties in the street are varied and have undulating rooflines. In particular, the property at 109 Alma Road (split into 5 flats) is a narrower and taller property with a strong vertical front gable. The property at 113 Alma Road is narrower in proportions and extends a further back into the plot.

- 6.3.3 It is considered that the higher density mix of flats and larger extended building would sit comfortably within the spacious plot, especially considering the depth of the buildings already present on the adjacent plots. It is proposed to significantly increase the mass and bulk of the existing building by effectively doubling its span and create a subservient single/two storey projection at the rear. Whilst the size of the rear extension is large, it would not be out of proportion with the character and appearance of other properties within Alma Road. Furthermore, the footprint coverage of the plot would not exceed the 50% ratio guideline as recommended under paragraph 3.9.2 of the Residential Design Guide, so would not be a physical overdevelopment. The current flatted scheme would have markedly greater benefit than the previously refused HMO and backland housing development in relation to the visual character of the street frontage by retaining the existing property and eliminating the possibility of backland development on a residential garden, and introducing self-contained flats in the community instead of more transient multiple occupancy housing.
- 6.3.4 Section 2.5 of the Residential Design Guide sets out basic design principles for roof extensions. The guidance advises that 'the reconfiguring of roofs and their supporting structure to create additional accommodation in the roof space will not be acceptable if the changes adversely impact on the local character of the area'.
- 6.3.5 The amended configuration and design of the roof extension is now considered to address the previous design concerns held by officers under the refused scheme, given that the appearance of the roof form has been simplified with the omission of the front gable, slight reduction in the bulk of the roof gable (lowering the height of the barn hip features), and the replacement of the long rear dormer into two small individual dormers on the rear facing roofslope. The alternative rear dormers will be more proportionate and balanced in relation to the size of the main roof, whilst the reduction in the overall bulk of other elements of the roof extensions are no longer considered to be top-heavy addition or to dominate the proportions of the host building. The elevation plan (shown in context with the street scene) shows that the height and profile of proposed roof extensions, including the raised ridge, introduction of the hip to gable ends (barn hipped ends), and the well aligned small individual dormers, would relate well to the taller height and larger roof proportions of no. 109. The overall appearance of the roof extensions would not be out of keeping with the typical character and appearance of the street with respect to the undulating roof heights and forms of nearby properties.

6.4 Residential amenity

6.4.1 Living conditions of neighbouring occupiers

There are standards set out in section 2.2 of the Residential Design Guide to protect the living conditions of the existing and future occupiers to safeguard privacy, natural light and outlook in relation to habitable areas. In particular, paragraph 2.2.4 sets out a minimum back to back separation distance of 21m between habitable room windows of the neighbouring properties. Section 2.2.11 sets out the 45 degree code test to indicate whether there would be harm to outlook and light if the proposed extension would encroach beyond the 45 degree line drawn from the nearest habitable window of the neighbouring properties (taken at the quarter point). The applicant has drawn the 45 degree code test on the plans submitted.

- 6.4.2 With the omission of the rear parking court, the proposal removes the concern of increasing noise and light pollution disturbance to the neighbours from vehicles accessing this area. The new first floor windows of 'flat 3' would maintain a separation distance of at least 60m from the adjoining properties to the rear of the site on Avenue Road and, therefore, would not result in a harmful loss of privacy to the neighbours. Furthermore, there is adequate spacing between adjacent properties to the east and south (Avenue Road) to ensure that adequate access to outlook and light is maintained as a result of the proposed extensions. It is noted that the adjacent properties either side of the site have a number of side facing windows already overlooking the plot. Whilst the windows on the rear elevations would extend deeper into the neighbouring plots, the long depth of the buildings either side would ensure that there is not a significant increase in overlooking across the neighbouring gardens, and any overlooking of adjacent windows would be at oblique angle. Furthermore, the side facing ground floor windows (serving the kitchen where other windows are also available) are required to be obscure glazed and fixed shut up to 1.7m above the internal floor level (see condition 13).
- 6.4.3 The nearest windows affected of the adjacent properties will still receive a reasonable proportion of sunlight during the morning and afternoon given their east and west orientation, whilst the BRE lighting test shown by on the submitted plans indicates that the 25 degree vertical component of side facing gable window of 109 Alma Road is not significantly affected.
- 6.4.4 In refusing the previous application, the concerns of officers were primarily based on the affect of the outlook enjoyed by the occupiers of no. 109 (to the west of the site) from the enclosure of the proposed two storey extension in proximity to the neighbouring boundary. The applicant has sought to address these concerns through demonstrating an acceptable relationship through the tests set out under the 45 degree code.
- 6.4.5 Since the refused application, the 45 degree code is correctly taken from the quarter point of the nearest windows affected at no. 109 (those facing perpendicular to the projection of the extension). The applicant has since provided an indicative floor layout of the windows affected at no. 109, which shows the property divided into self-contained flats. The plans shows that the depth of the two storey rear extension would not breach the 45 degree line in relation to first floor bedroom window (front upstairs flat) and, therefore, would maintain an acceptable level of access to outlook and light. The extension projecting beyond the 45 degree line taken from the ground floor bedroom window (front flat) would be solely affected by the projection of the ground floor element of the rear extension and, therefore, the enclosure of the bedroom's outlook would not be adversely harmed by the single storey height and set back from the site's boundary. The west facing bedroom window at the side of the rear ground floor flat at no. 109 is affected, with a second side facing window serving the kitchen/lounge area also adjacent to the extension. The depth of the proposed two storey extension has not changed since the previous application. however, a more detailed assessment can be made by knowing the layout of the flats affected at no. 109 in relation to the side facing windows.
- 6.4.6 The proposed two storey rear extension would leave a gap of 4.9m between the side wall of no. 109 and extends a depth of 3.7m beyond the inner rear wall of no. 109. The proposed extension then steps down to ground floor level extending

a further 5m towards the rear of the plot. To a large extent the side facing windows of the neighbouring property affected at no. 109 currently rely on the applicant's land to borrow light and outlook and, therefore, the adjoining landowner cannot always expect this level of unrestricted outlook as this would otherwise prejudice the applicant's opportunity to redevelop their own land. The height of the existing boundary fence partially encloses the outlook already enjoyed from these ground floor side windows. The proposed two storey extension in terms of its mass and bulk would impact on the enclosure of the outlook from the side bedroom window, however, this relationship would not cause adverse harm to the overall living conditions of the ground floor flat as bedrooms are tended to be used for mainly sleeping and therefore not as the main living area of the flat. The outlook from the main living area of the ground floor flat would be less impacted by the adjacent two storey extension, given that there is a sufficient enough gap to the site boundary from the ground floor extension to maintain an adequate level of outlook. The first floor side facing window would maintain an unobstructed outlook beyond the end wall of the proposed two storey rear extension. Therefore, the living conditions of the flats affected at no. 109 would not be adversely affected.

6.4.7 Living conditions of future occupiers

There are standards set out in section 2.2 of the Residential Design Guide to protect the living conditions of the existing and future occupiers to safeguard privacy, natural light and outlook in relation to habitable areas. Section 4.4 of the Residential Design Guide requires all developments to provide an appropriate amount of the private amenity which should be fit for the purpose intended. Paragraph 2.3.14 of the Residential Design Guide requires a flat to have a minimum garden size of 20sqm, where this space can be shared communally.

- 6.4.8 The proposed amenity space 120sqm for the five flats (1 bedroom) and 45sqm for the three bedroom family flat; is considered to be sufficient in size and usability for the future residents.
- 6.4.9 The Council does not have its own adopted policy for minimum floor spaces for new dwellings, however, the national described floor space standards (dated March 2015) acts as a relevant guideline to what size of accommodation is acceptable. These standards expect a minimum floor area (gross internal area GIA) of 37-50sqm for 1 bedroom flat (1 storey), and 84-103sqm for 3 bedroom dwelling (2 storey). The floor area of the flats would comply with these standards as shown in the table below.

| Flat | Floor area proposed | oor area proposed National space standard | |
|------|---|---|-------------------------------------|
| 1 | 38sqm | 37-50sqm | +1sqm |
| 2 | 44sqm | 37-50sqm | +7sqm |
| 3 | 96sqm | 84-103sqm | +12sqm |
| 4 | 41sqm | 37-50sqm | +4sqm |
| 5 | 37sqm | 37-50sqm | 0sqm |
| 6 | 56sqm (36sqm with ceiling headroom over 2m) | 37-50sqm | +19sqm (see paragraph 6.4.10) |

6.4.10 Notwithstanding that the Council does not have its own minimum floor space standards and whether the proposed flat sizes meets these the national

standards, a judgement of the living conditions should be assessed upon the quality of the outlook, light and privacy offered by the main living space and the quality of the garden area. The internal layout of the flats would provide an acceptable level of outlook, light and privacy for the existing residents. The reliance on headroom of the flat in the sloping roofspace is not ideal, however, the applicant has demonstrated that this space would not be overly cramped as majority of its headroom is 2m high (36sqm) and includes dual aspect windows (rather than high level rooflights) for good ventilation, whilst the floor space within the sloping eaves of the living areas would be useable for storage or furniture.

6.5 Parking highways and transport

6.5.1 Highways Safety

With the revised scheme having only one parking space, this will be acceptable as the parking has historically taken place here so one space would not likely increase vehicular movements. The parking court to the rear has been omitted to address the highways safety concerns raised under the previously refused scheme. The Highways Officer has no objection to the present scheme with regards to the impact on road safety, providing that a suitable form of barrier (such as a gate and fence) is erected within the driveway area to provide enough space for a single parked vehicle to prevent tandem parking. These changes can be secured by planning condition. Furthermore, the provision of suitable storage facilities for refuse and cycles can be agreed by planning condition.

6.5.2 An appropriately designed refuse bin enclosure can be located to the side of the property so it is not visually prominent from the street. The design standards for cycle storage facilities in the Council's Parking Standards SPD (p31) sets out that a minimum of 6 covered and secure cycle parking spaces (1 per flat) should be provided for the development. An individual store can be provided in the private garden of the family unit, whilst the location and size of the existing outbuilding at the bottom of the communal garden would be suitable to accommodate the 5 remaining cycle spaces. The outbuilding can be partitioned off to provide a smaller and secure space for a communal store with Sheffield steel cycle stands fitted for the residents to lock up there cycles.

6.5.3 Parking

The maximum parking standards requires a total of 7 spaces for this development (1 space per 1 bed flat and 2 spaces per 3 bed flat) within this non-high accessibility area. Alma Road and other nearby streets are controlled by a daytime parking permit scheme (08.00 to 18.00 hours Monday to Saturday), and the site is within close walking distance of The Avenue which is a frequent bus corridor into the city centre.

- 6.5.4 Whether the development provides the maximum permissible amount, or lower quantity, the guidance in the Parking Standards SPD (section 4.2.1 refers) expects the applicant to demonstrate that there is sufficient kerbside capacity to absorb the additional parking demand. This would normally be assessed by undertaking a parking survey using the preferred Lambeth model.
- 6.5.5 The streets within the locality are mainly covered by parking permit controls, whilst the net impact from additional parking demand associated with the proposed flats should take into account the existing demand from the existing dwelling. Although a parking survey has not been submitted to assess whether there is sufficient capacity of kerbside parking to absorb the demand of the

proposed development, the existing street parking controls would minimise overspill from the increased parking demand as the new flats are not entitled to a parking permit and, therefore, the impact on the amenity of local residents would not be adversely affected by the potential competition with local street parking.

6.6 Air Quality and the Green Charter

- 6.6.1 The Core Strategy Strategic Objective S18 seeks to ensure that air quality in the city is improved and Policy CS18 supports environmentally sustainable transport to enhance air quality, requiring new developments to consider impact on air quality through the promotion of sustainable modes of travel. Policy SDP15 of the Local Plan sets out that planning permission will be refused where the effect of the proposal would contribute significantly to the exceedance of the National Air Quality Strategy Standards.
- 6.6.2 There are 10 Air Quality Management Areas in the city which all exceed the nitrogen dioxide annual mean air quality standard. In 2015, Defra identified Southampton as needing to deliver compliance with EU Ambient Air Quality Directive levels for nitrogen dioxide by 2020, when the country as a whole must comply with the Directive.
- The Council has also recently established its approach to deliver compliance with the EU limit and adopted a Green City Charter to improve air quality and drive up environmental standards within the city. The Charter includes a goal of reducing emissions to satisfy World Health Organisation air quality guideline values by ensuring that, by 2025, the city achieves nitrogen dioxide levels of 25µg/m3. The Green Charter requires environmental impacts to be given due consideration in decision making and, where possible, deliver benefits. The priorities of the Charter are to:
 - Reduce pollution and waste;
 - Minimise the impact of climate change
 - Reduce health inequalities and;
 - Create a more sustainable approach to economic growth.
- 6.6.4 The effect of the development on air quality is considered to have a minimal impact given the small scale of the development which is built on previously developed land. Although it is not possible to directly deliver benefits towards improving air quality, the environmental impact would be small scale and therefore not conflict with the requirements of the Green Charter in this instance. Furthermore, the off-road parking levels will be reduced.

6.7 <u>Likely effect on designated habitats</u>

6.7.1 The proposed development, as a residential scheme, has been screened (where mitigation measures must now be disregarded) as likely to have a significant effect upon European designated sites due to an increase in recreational disturbance along the coast and in the New Forest. Accordingly, a Habitat Regulations Assessment (HRA) has been undertaken, in accordance with requirements under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, see *Appendix 1*. The HRA concludes that, provided the specified mitigation of a Solent Recreation Mitigation Strategy (SRMP) contribution and a minimum of 5% of any CIL taken directed specifically towards Suitably Accessible Green Space (SANGS), the development will not adversely affect the integrity of the European designated sites.

6.7.2 In order to mitigate the above habitat impacts, the requisite contribution towards the Solent Disturbance Mitigation Project would be secured through the Section 106 agreement.

7. Summary

7.1 In summary, officers are satisfied that the changes in design to the appearance and layout of the revised scheme fully address the reasons for refusal set out under application no. 19/02122/FUL. This is a good opportunity to redevelop and modernise the site to bring forward the delivery of windfall housing site for smaller housing ideal for lower income households, where there is a housing need in the city, and the high density development to retain the original property in the street frontage would sit comfortably within the large spacious plot. The proposed enlargement of the host dwelling would not be out of keeping with the character, size and style of other properties within the street scene. The development offers decent quality homes suitable for lower income households and help sustain the balance and mix of the community by maintaining a suitable family home and increasing the diversity of households. The development would maintain safe roads and the limited off-road parking would encourage the occupants to make greater use of public transport within this sustainable location. Overall weighing up the impacts of the development in relation to the priorities of the Local Plan objectives to create new housing, the positives of the development will be in favour of the 'planning balance'.

8. Conclusion

8.1 It is recommended that planning permission be granted subject to a Section 106 agreement and conditions set out below.

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) (f) 4.(f) (g) (vv) 6. (a) (b) 7. (a)

Case Officer Initials for 14/07/20 PROW Panel

PLANNING CONDITIONS

01. Full Permission Timing Condition (Performance)

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 (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. Hours of work for Demolition / Clearance / Construction (Performance)

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 to 18:00 hours Saturdays 09:00 to 13:00 hours

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.

04. Construction Management Plan (Pre-Commencement)

Before any development or demolition works are commenced details shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Plan for the development. The Construction Management Plan shall include details of:

- (a) parking of vehicles of site personnel, operatives and visitors;
- (b) loading and unloading of plant and materials;
- (c) storage of plant and materials, including cement mixing and washings, used in constructing the development;
- (d) treatment of all relevant pedestrian routes and highways within and around the site throughout the course of construction and their reinstatement where necessary;
- (e) measures to be used for the suppression of dust and dirt throughout the course of construction;
- (f) details of construction vehicles wheel cleaning; and,

(g) details of how noise emanating from the site during construction will be mitigated. The approved Construction Management Plan shall be adhered to throughout the development process unless agreed otherwise in writing by the local planning authority.

Reason: In the interest of health and safety, protecting the amenity of local land uses, neighbouring residents, the character of the area and highway safety.

05. Landscaping plan (Pre-Occupation)

Notwithstanding the submitted details, the occupation of the development hereby approved shall not commence until a detailed landscaping scheme and implementation timetable shall be submitted to and approved by the Local Planning Authority in writing, which includes:

i. hard surfacing materials (comprise of non-migratory and permeable 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.details of any proposed boundary treatment and means of enclosure, including retaining walls and;

v.a landscape management scheme.

The approved hard and soft landscaping scheme 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.

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.

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

06. Parking (Pre-Occupation)

Notwithstanding the submitted details, the occupation of the development hereby approved shall not commence until details of the revised parking layout and suitable means of enclosure they provide no more than 1 vehicle parking space are submitted to and agreed in writing by the Local Planning Authority. The parking and access shall be provided in accordance with the plans hereby approved before the development first comes into occupation and thereafter retained as approved. Reason: To prevent obstruction to traffic in neighbouring roads, tandem parking and in the interests of highway safety.

07. Refuse & Recycling (Pre-Commencement)

Prior to the occupation of the development, details of storage for refuse and recycling, together with the access to it, shall be submitted to and approved in writing by the Local Planning Authority. The storage shall be provided in accordance with the agreed details before the development is first occupied and thereafter retained as approved. Unless otherwise agreed by the Local Planning Authority, except for collection days only, no refuse shall be stored outside the storage area hereby approved.

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.

Note to applicant: In accordance with para 9.2.3 of the Residential Design Guide (September 2006): if this development involves new dwellings, the applicant is liable for the supply of refuse bins, and should contact SCC refuse team at Waste.management@southampton.gov.uk at least 8 weeks prior to occupation of the development to discuss requirements.

08. Cycle storage facilities (Pre-Occupation Condition)

Before the development hereby approved first comes into occupation, secure and covered storage for bicycles shall be provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The storage shall be thereafter retained as approved.

Reason: To encourage cycling as an alternative form of transport.

09. Water efficiency (Pre-Construction)

With the exception of site clearance, demolition and preparation works, no development works shall be carried out until written documentary evidence demonstrating that the development will achieve at minimum 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of a water efficiency calculator shall be submitted to the Local Planning Authority for its approval, unless an otherwise agreed timeframe is agreed in writing by the LPA. The appliances/ fittings to be installed as specified.

Reason: To ensure the development minimises its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (Amended 2015), and to mitigate the impact of nitrates associated with the development on protected habitats.

10. Amenity Space Access (Pre-Occupation)

Before the development hereby approved first comes into occupation, the external amenity space and pedestrian access to it, shall be made available for use in accordance with the plans hereby approved. The amenity space and access to it shall be thereafter retained for the use of the dwellings.

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

11. 3 Bedroom Family unit (Pre-occupation)

The occupation of the development hereby approved shall not commence until the 3 bedroom family unit (namely flat 3) has been made available for occupation, including the associated amenity space, in accordance with the approved plans. The 3 bedroom family shall thereafter be retained for the duration of the development. Reason: To ensure that the development does not result in the net loss of a family home in accordance with the requirements of policy CS16 of the Core Strategy.

12. Limitation of use of the outbuilding (Performance)

The existing outbuilding shown on the approved plans shall only be used for ancillary purposes to the approved residential use of the site in no other circumstances whatsoever unless further written consent is granted by the Local Planning Authority. Reason: To protect the living condition of the existing and future occupiers.

13. Obscure Glazing (Performance Condition)

All windows in the side elevations of flat 3 of the hereby approved development, shall be obscurely glazed and fixed shut up to a height of 1.7 metres from the internal floor level before the development is first occupied. The windows shall be thereafter retained in this manner.

Reason: To protect the amenity and privacy of the adjoining property.

14. 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.

Note to Applicant - Community Infrastructure Liability (Approval)

You are advised that the development appears liable to pay the Community Infrastructure Levy (CIL). Please ensure that you assume CIL liability prior to the commencement of the development (including any demolition works) otherwise a number of consequences could arise. For further information please refer to the CIL pages on the Council's website at: http://www.southampton.gov.uk/planning/community-infrastructure-levy/default.aspx or contact the Council's CIL Officer.

Applicant should have

Habitat Regulation Assessment (HRA) Screening Matrix and Appropriate Assessment Statement

PLEASE NOTE: Undertaking the HRA process is the responsibility of the decision maker as the Competent Authority for the purpose of the Habitats Regulations. However, it is the responsibility of the applicant to provide the Competent Authority with the information that they require for this purpose.

| HRA completion date: | See Main Report | |
|---|-----------------|--|
| Application reference: | See Main Report | |
| Application address: | See Main Report | |
| Application description: | See Main Report | |
| Lead Planning Officer: | See Main Report | |
| Please note that all references in this assessment to the 'Habitats Regulations' refer to | | |

The Conservation of Habitats and Species Regulations 2017.

Stage 1 - details of the plan or project Solent and Southampton Special Protection Area (SPA) and Ramsar European site site. Solent Maritime Special Area of Conservation (SAC). Collectively known as the Solent SPAs. potentially impacted by New Forest SAC, SPA and Ramsar site. planning application, plan project: ls the No. The development consists of an increase in residential dwellings, which is neither connected to nor necessary to the management of any planning application European site. directly connected with or necessary to management of the site (if yes,

| provided details)? | |
|---|--|
| Are there any other projects or plans that together with the planning | Yes. All new housing development within 5.6km of the Solent SPAs is considered to contribute towards an impact on site integrity as a result of increased recreational disturbance in combination with other development in the Solent area. |
| application being assessed could affect the site (Applicant to | Concerns have been raised by Natural England that residential development within Southampton, in combination with other development in the Solent area, could lead to an increase in recreational disturbance within the New Forest. This has the potential to adversely impact site integrity of the New Forest SPA, SAC and Ramsar site. |
| provide details to allow an 'in combination' effect to be assessed)? | The PUSH Spatial Position Statement (https://www.push.gov.uk/work/planning-and-infrastructure/push-position-statement/) sets out the scale and distribution of housebuilding which is being planned for across South Hampshire up to 2034. |

Stage 2 - HRA screening assessment

Screening under Regulation 63(1)(a) of the Habitats Regulations – The Applicant to provide evidence so that a judgement can be made as to whether there could be any potential significant impacts of the development on the integrity of the SPA/SAC/Ramsar.

Solent SPAs

The proposed development is within 5.6km of the collectively known European designated areas Solent SPAs/Ramsar sites. In accordance with advice from Natural England and as detailed in the Solent Recreation Mitigation Strategy, a net increase in housing development within 5.6km of the Solent SPAs is likely to result in impacts to the integrity of those sites through a consequent increase in recreational disturbance.

Development within the 5.6km zone will increase the human population at the coast and thus increase the level of recreation and disturbance of bird species. The impacts of recreational disturbance (both at the site-scale and in combination with other development in the Solent area) are analogous to impacts from direct habitat loss as recreation can cause important habitat to be unavailable for use (the habitat is functionally lost, either permanently or for a defined period). Birds can be displaced by human recreational activities (terrestrial and water-based) and use valuable resources in finding suitable areas in which to rest and feed undisturbed. Ultimately, the impacts of recreational disturbance can be such that they affect the status and distribution of key bird species and therefore act against the stated conservation objectives of the European sites.

The New Forest

The New Forest National Park attracts a high number of visitors (13.3 million annually), and is notable in terms of its catchment, attracting a far higher proportion of tourists and non-local visitors than similar areas such as the Thames Basin and Dorset Heaths. Research undertaken by Footprint Ecology, Sharp, J., Lowen, J. and Liley, D. (2008) Changing patterns of visitor numbers within the New Forest National Park, with particular reference to the New Forest SPA. (Footprint Ecology.), indicates that 40% of

visitors to the area are staying tourists, whilst 25% of visitors come from more than 5 miles (8km) away. The remaining 35% of visitors are local day visitors originating from within 5 miles (8km) of the boundary.

The report states that the estimated number of current annual visits to the New Forest is predicted to increase by 1.05 million annual visits by 2026 based on projections of housing development within 50km of the Forest, with around three quarters (764,000) of this total increase originating from within 10km of the boundary (which includes Southampton).

Residential development has the potential to indirectly alter the structure and function of the habitats of the New Forest SAC, SPA and Ramsar site breeding populations of nightjar, woodlark and Dartford warbler through disturbance from increased human and/or dog activity. The precise scale of the potential impact is currently uncertain however, the impacts of recreational disturbance can be such that they affect the breeding success of the designated bird species and therefore act against the stated conservation objectives of the European sites.

POLICY CONTEXT

| Core Strateg | <u>y - (as amended 2015)</u> |
|--------------|--|
| CS4 | Housing Delivery |
| CS6 | Housing Density |
| CS13 | Fundamentals of Design |
| CS14 | Historic Environment |
| CS16 | Housing Mix and Type |
| CS18 | Transport: Reduce-Manage-Invest |
| CS19 | Car & Cycle Parking |
| CS20 | Tackling and Adapting to Climate Change |
| CS22 | Promoting Biodiversity and Protecting Habitats |
| CS25 | The Delivery of Infrastructure and Developer Contributions |
| | |

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

| SDP1 | Quality of Development | |
|------|---------------------------|--|
| SDP4 | Development Access | |

SDP5 Parking

SDP7 Urban Design Context

SDP9 Scale, Massing & Appearance

SDP10 Safety & Security

SDP11 Accessibility & Movement
SDP12 Landscape & Biodiversity
SDP13 Resource Conservation
SDP14 Renewable Energy
HE4 Locally Listed Buildings

H1 Housing Supply

H7 The Residential Environment

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)

Planning Obligations (Adopted - September 2013)

Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework (2019)

The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

Relevant Planning History

20/00078/ENCOU – Closed 06.03.2020 Alleged COU of outbuilding

19/02122/FUL - Refused 17.02.2020

Erection of part single and two-storey rear extensions and roof alterations including raising the roof with dormers to front and rear to allow conversion of existing dwelling to 1 x three bedroom and 5 x one bedroom flat with associated works.

14/02115/FUL – Refused 09.03.201 (Dismissed Appeal - 15/00060/APFUL) Change of use from a dwelling house to a flexible use as either a dwelling house or a house in multiple occupation (HMO, class C4)

08/01107/FUL - Refused 09.10.2008

Two-storey rear and single-storey side extension and alterations to existing flat roof to form pitched roof enabling conversion of existing four-bed dwelling into 2 x three-bed dwellings. Erection of 2 x three-bed, two-storey detached dwellings, with associated parking, cycle/refuse storage

19/02122/FUL/PP-08385388



DETERMINATION OF APPLICATION

TOWN AND COUNTRY PLANNING ACT 1990

Town and Country Planning (Development Management Procedure) (England) Order 2015

Mr Amrik Chahai 9 Woodside Avenue Eastleigh SO50 9ES

in pursuance of its powers under the above Act and Order, Southampton City Council as the Local Planning Authority, hereby gives notice that the application described below has been determined. The decision is:

FULL APPLICATION - REFUSAL

Proposal: Erection of part single and two-storey rear extensions and roof alterations

including raising the roof with dormers to front and rear to allow conversion of

existing dwelling to 1 x three bedroom and 5 x one bedroom flat with

associated works.

Site Address: 111 Alma Road, Southampton, SO14 6UY

Application No: 19/02122/FUL

For the following reason(s):

01. Design & Character

The additional mass and bulk from the proposed roof extensions, including the long rear dormer, would appear top heavy and disproportionate to the appearance of the host dwelling. In particular, the over-dominant form of the gable ends and front facing gable features poorly relates to the style of the host dwelling and would be out of keeping with the street scene. As such, the proposal is judged to adversely affect the character and appearance of the local area. This would be contrary to the requirements of policies SDP7(Iv), SDP9(I) of the Local Plan Review (March 2015 amended) and CS13 of the Core Strategy (March 2015 amended). This contrary to the aims of paragraphs 127 and 130 of the NPPF (2019).

02. Residential Amenity

The proposed two-storey storey rear extension by reason of its mass and bulk and proximity to side and rear facing windows (ground and first floor) of 109 Alma Road would lead to sense of enclosure and loss of outlook to the neighbouring property. As such, the proposal is considered to adversely affect the residential amenity of the neighbouring residents. Furthermore, the noise and disturbance associated with the more intensive use of the vehicle access will harm the amenity of the neighbouring occupiers in terms of the peace and quiet they enjoy within their garden space and rooms adjacent to the access and parking court. This would be contrary to the requirements of policies SDP1(I), SDP7(v), SDP9(v) of the Local Plan Review (March 2015 amended). This contrary to the aims of paragraphs 127 of the National Planning Policy Framework (2019).

03.Highways Safety

The proposed vehicular access is inadequate in width to allow two vehicles to pass and would prejudice highway safety by creating congestion at the entrance into the site. In addition, the access drive is insufficient in width to allow a vehicle and pedestrian/wheelchair user to pass and would therefore prejudice pedestrian safety and create additional congestion along the access drive. The development proposal is thereby contrary to Policies SDP1 of the Local Plan Review (March 2015 amended).

04.Lack of Section 106 or unliateral undertaking to secure planning obligations.

In the absence of either a scheme of works or a completed Section 106 legal agreement or unliateral undertaking to support the development the application fails to mitigate against its wider direct impact with regards to the additional pressure that further residential development will place upon the Special Protection Areas of the Solent Coastline. Failure to secure mitigation towards the 'Solent Disturbance Mitigation Project' in order to mitigate the adverse impact of new residential development (within 5.6km of the Solent coastline) on internationally protected birds and habitat is contrary to Policy CS22 of the Council's adopted LDF Core Strategy as supported by the Habitats Regulations.



Interim Service Lead- Planning & Economic Development

17 February 2020

For any further enquiries please contact: Stuart Brooks

PLANS AND INFORMATION CONSIDERED

This decision has been made in accordance with the submitted application details and supporting documents and in respect of the following plans and drawings:

| Drawing No: | Version: | Description: | Date Received: | Status: |
|-------------|----------|----------------|----------------|---------|
| 2017/02 | REV B | Proposed Plans | 24.12.2019 | Refused |
| 2017/01 | | Location Plan | 24.12.2019 | Refused |
| 2017/03 | REV B | Site Plan | 24.12.2019 | Refused |

NOTES





