



pure

town planning

RE: 24 Wilton Avenue, Southampton SO15 2HJ – LPA Ref: 23/00674/FUL

Good Afternoon Members and thank you for the opportunity to the address the panel prior to the determination of my client's planning application.

My name is Chris Miell and I'm an RTPI Chartered Town Planner and Associate Director of Pure Town Planning. My client's application seeks full planning permission for a change of use from a 6 bed house in multiple occupation ('HMO') to a 7 bed HMO and erection of rear dormer at 24 Wilton Avenue, Southampton.

The planning officer has comprehensively explained the full details of the proposed scheme within their report and opening presentation to you. Throughout this application process we have worked closely with your officers for which we thank them for their time and efforts in this regard.

This application has been called before the Planning Committee because of the number of objections from local residents. Many of the representations assert that the expansion of the existing HMO use would have a negative impact upon neighbouring amenity.

As set out within the officer's report, in June 2021 an identical application to the current proposal was submitted to the Council. Planning permission was refused by the Council and the sole reason for refusal related to the impact of the proposal upon neighbouring amenity.

The applicant challenged the Council's decision at appeal. The appeal was dismissed in July 2022. However, planning permission was only refused by the Inspector on the basis that the recreational impacts of the proposal may result in harm to protected habitat sites. This was not a reason for refusal put forward by the Council, but related to an issue raised at appeal by Natural England.

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In respect of the local planning authority's sole reason for refusal, the Inspector found favourably for the appellant. Within his decision, the Inspector states:

34. This [the existing 6 person HMO use] is the starting point for considering the impact of the appeal scheme upon the living conditions of neighbouring property occupiers. I find that the addition of one extra bedroom within the existing 6-bedroom property would reasonably be expected to result in an associated small proportionate increase in the typical comings and goings connected with the existing occupants of the appeal property.

35. The existing communal kitchen/dining/lounge and rear outside garden would remain in the same positions within the appeal site, and, whilst these communal areas are positioned in close proximity to neighbouring properties, given the relatively high density back-to-back terraced nature of built development within the locality of the appeal site, I find that the proposed occupation of the building by one additional resident would be unlikely to result in a significantly discernible increase in noise and disturbance emanating from these communal areas, such that it would materially harm the living conditions of neighbouring occupants.

36. In addition, I have taken account of the prevailing conditions within the site locality, having regard to the location of the appeal site near the eastern end of Wilton Avenue, which is a wide, straight, well-trafficked road, with on-street parking on both sides and providing access to the nearby local community facilities and services along Bedford Place and the adjacent public car park.

37. In addition to being a busy road, the evidence before me is that a large number of properties within the road, including close to the appeal site, are within HMO use, so that existing occupancy within the street is of a largely transient nature, as opposed to comprising family houses. The evidence from the appellant and third parties in this respect is supported by what I witnessed on my site visit, including a preponderance of refuse bins located within front gardens and multiple door bells on properties.

38. Moreover, I have also taken account that, whilst the appeal property is terraced, both adjoining properties are occupied as two flats, thereby reducing the difference between the number comings and goings associated with their occupation and that of the proposal compared to if these properties were in use as family houses.

39. Taking all the above factors into account, I find that any increase in noise and activity arising from the appeal scheme would not be greatly discernible within the existing context of people and vehicular comings and goings within this busy, multi-household part of the street.

40. For the above reasons, on the basis of the information before me, I therefore conclude that the proposed development would not result in material harm to the living conditions of the occupiers of neighbouring properties in respect of noise and disturbance impacts.

***** END QUOTE****

The current proposal seeks planning permission for an identical scheme, which was assessed by the Planning Inspector at appeal. Given the Inspector's conclusions on the main issue related to neighbouring amenity, it would be wholly unreasonable for the Council to refuse planning permission on such grounds.

As set out within the officer's report, a suitable resolution is now in place to mitigate against the recreational impacts upon the protected habit sites. Consequently, there is no substantive reason to withhold planning permission for the proposal and the local planning authority are respectfully asked to grant planning without delay.

Thank you for your time and due consideration of my client's application.

Yours Faithfully

A handwritten signature in black ink, appearing to read 'Chris Miell', is positioned below the 'Yours Faithfully' text.

Christopher Miell BA(Hons), MPLAN, MRTPI

Associate Director

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