

Planning and Rights of Way Panel (WEST)

Tuesday, 17th November,
2015

at 6.00 pm

PLEASE NOTE TIME OF MEETING

Conference Room 3 and 4 - Civic
Centre

This meeting is open to the public

Members

Councillor Denness (Chair)
Councillor Lloyd (Vice-Chair)
Councillor Claisse
Councillor L Harris
Councillor Mintoff

Contacts

Democratic Support Officer
Ed Grimshaw
Tel: 023 8083 2390
Email: ed.grimshaw@southampton.gov.uk

Planning and Development Manager
Samuel Fox
Tel: 023 8083 2044
Email: samuel.fox@southampton.gov.uk

PUBLIC INFORMATION

Role of the Planning and Rights of Way Panel

The Panel deals with various planning and rights of way functions. It determines planning applications and is consulted on proposals for the draft development plan.

Public Representations: -At the discretion of the Chair, members of the public may address the meeting on any report included on the agenda in which they have a relevant interest. Any member of the public wishing to address the meeting should advise the Democratic Support Officer (DSO) whose contact details are on the front sheet of the agenda.

Southampton City Council's Priorities

- Jobs for local people
- Prevention and early intervention
- Protecting vulnerable people
- Affordable housing
- Services for all
- City pride
- A sustainable Council

Smoking policy – The Council operates a no-smoking policy in all civic buildings

Mobile Telephones:- Please switch your mobile telephones to silent whilst in the meeting

Use of Social Media:- The Council supports the video or audio recording of meetings open to the public, for either live or subsequent broadcast. However, if, in the Chair's opinion, a person filming or recording a meeting or taking photographs is interrupting proceedings or causing a disturbance, under the Council's Standing Orders the person can be ordered to stop their activity, or to leave the meeting

Fire Procedure – In the event of a fire or other emergency a continuous alarm will sound and you will be advised by Council officers what action to take.

Access – Access is available for disabled people. Please contact the Democratic Support Officer who will help to make any necessary arrangements.

Dates of Meetings: Municipal Year 2015/16

Planning and Rights of Way - EAST	
2015	2016
23 June 2015	19 January 2016
4 August	1 March
15 September	12 April
27 October	
8 December	

Planning and Rights of Way - WEST	
2015	2016
2 June 2015	9 February 2016
14 July	22 March
25 August	3 May
6 October	
17 November	
22 December	

CONDUCT OF MEETING

Terms of Reference

The terms of reference of the Planning and Rights of Way Panel are contained in Part 3 (Schedule 2) of the Council's Constitution

Business to be discussed

Only those items listed on the attached agenda may be considered at this meeting.

Rules of Procedure

The meeting is governed by the Council Procedure Rules as set out in Part 4 of the Constitution.

Quorum

The minimum number of appointed Members required to be in attendance to hold the meeting is 3.

DISCLOSURE OF INTERESTS

Members are required to disclose, in accordance with the Members' Code of Conduct, **both** the existence **and** nature of any "Disclosable Pecuniary Interest" or "Other Interest" they may have in relation to matters for consideration on this Agenda.

DISCLOSABLE PECUNIARY INTERESTS

A Member must regard himself or herself as having a Disclosable Pecuniary Interest in any matter that they or their spouse, partner, a person they are living with as husband or wife, or a person with whom they are living as if they were a civil partner in relation to:

- (i) Any employment, office, trade, profession or vocation carried on for profit or gain.
- (ii) Sponsorship:

Any payment or provision of any other financial benefit (other than from Southampton City Council) made or provided within the relevant period in respect of any expense incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

- (iii) Any contract which is made between you / your spouse etc (or a body in which the you / your spouse etc has a beneficial interest) and Southampton City Council under which goods or services are to be provided or works are to be executed, and which has not been fully discharged.

- (iv) Any beneficial interest in land which is within the area of Southampton.

- (v) Any license (held alone or jointly with others) to occupy land in the area of Southampton for a month or longer.

- (vi) Any tenancy where (to your knowledge) the landlord is Southampton City Council and the tenant is a body in which you / your spouse etc has a beneficial interests.

- (vii) Any beneficial interest in securities of a body where that body (to your knowledge) has a place of business or land in the area of Southampton, and either:

- a) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body, or
- b) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you / your spouse etc has a beneficial interest that exceeds one hundredth of the total issued share capital of that class.

Other Interests

A Member must regard himself or herself as having an, 'Other Interest' in any membership of, or occupation of a position of general control or management in:

Any body to which they have been appointed or nominated by Southampton City Council

Any public authority or body exercising functions of a public nature

Any body directed to charitable purposes

Any body whose principal purpose includes the influence of public opinion or policy

Principles of Decision Making

All decisions of the Council will be made in accordance with the following principles:-

- proportionality (i.e. the action must be proportionate to the desired outcome);
- due consultation and the taking of professional advice from officers;
- respect for human rights;
- a presumption in favour of openness, accountability and transparency;
- setting out what options have been considered;
- setting out reasons for the decision; and
- clarity of aims and desired outcomes.

In exercising discretion, the decision maker must:

- understand the law that regulates the decision making power and gives effect to it. The decision-maker must direct itself properly in law;
- take into account all relevant matters (those matters which the law requires the authority as a matter of legal obligation to take into account);
- leave out of account irrelevant considerations;
- act for a proper purpose, exercising its powers for the public good;
- not reach a decision which no authority acting reasonably could reach, (also known as the "rationality" or "taking leave of your senses" principle);
- comply with the rule that local government finance is to be conducted on an annual basis. Save to the extent authorised by Parliament, 'live now, pay later' and forward funding are unlawful; and
- act with procedural propriety in accordance with the rules of fairness.

AGENDA

Agendas and papers are available via the Council's Website

1 APOLOGIES AND CHANGES IN PANEL MEMBERSHIP (IF ANY)

To note any changes in membership of the Panel made in accordance with Council Procedure Rule 4.3.

2 DISCLOSURE OF PERSONAL AND PECUNIARY INTERESTS

In accordance with the Localism Act 2011, and the Council's Code of Conduct, Members to disclose any personal or pecuniary interests in any matter included on the agenda for this meeting.

3 STATEMENT FROM THE CHAIR

4 MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING) (Pages 1 - 4)

To approve and sign as a correct record the Minutes of the meeting held on 6 October 2015 and to deal with any matters arising, attached.

CONSIDERATION OF PLANNING APPLICATIONS

5 14 WESTWOOD ROAD 15/01711/FUL (Pages 9 - 40)

Report of the Planning and Development Manager recommending that delegated authority be granted in respect of an application for a proposed development at the above address, attached.

6 KING GEORGE PUBLIC HOUSE, OAKLEY ROAD 15/01551/OUT (Pages 41 - 56)

Report of the Planning and Development Manager recommending refusal of an application for a proposed development at the above address, attached.

7 47-49 ARCHERS ROAD 15/01622/FUL (Pages 57 - 78)

Report of the Planning and Development Manager recommending that delegated authority be granted in respect of an application for a proposed development at the above address, attached.

Monday, 9 November 2015

HEAD OF LEGAL AND DEMOCRATIC SERVICES

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PLANNING AND RIGHTS OF WAY PANEL (WEST)
MINUTES OF THE MEETING HELD ON 6 OCTOBER 2015

Present: Councillors Denness (Chair), Lloyd (Vice-Chair), Claisse (except Minute Number 34), L Harris and Mintoff

29. **MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)**

RESOLVED that the minutes of the meeting held on 25 August 2015 be approved and signed as a correct record.

30. **OBJECTION TO THE SOUTHAMPTON (TANNERS BROOK INFANT AND JUNIOR SCHOOLS) TREE PRESERVATION ORDER 2015**

The Panel considered a report Head of Regulatory and City Services regarding an objection to the implementation of The Southampton (Tanners Brook Infant and Junior Schools) Tree Preservation Order 2015.

RESOLVED to confirm the Southampton (Tanners Brook Infant and Junior Schools) Tree Preservation Order 2015, as set out as Appendix 1 in the report, without modification.

31. **66 DEVONSHIRE ROAD, 15/01273/FUL**

The Panel considered the report of the Planning and Development Manager recommending the approval of delegated authority to grant planning permission in respect of an application for a proposed development at the above address.

Erection of a 3-storey building containing 5 flats (3x 2-bed, 2x 1-bed) with associated parking and cycle/refuse storage, following demolition of existing building (resubmission 14/01626/FUL)

Lorraine Barter, Jane Harboro, Chris Riley and Jessa Barratt (local residents/objecting) and Councillor Tucker (Ward Councillor / objecting) were present and with the consent of the Chair, addressed the meeting.

RESOLVED to refuse planning permission for the reasons set out below:

1. REASON FOR REFUSAL: Impact on Character and Amenity

The proposed 3 storey building would, by virtue of its excessive scale and bulk on such a prominent corner plot, represent a form of development which would be at odds with the prevailing character of its immediate surroundings. The proposed development would therefore, constitute an overbearing and un-neighbourly form of development contrary to saved policies SDP1(i), SDP7(iii)/(iv)/(v), SDP9(i) of the adopted Amended City of Southampton Local Plan Review (March 2015) and policy CS16 of the adopted Core Strategy Partial Review (March 2015); as supported by paragraphs 3.6.8, 3.7.8, 3.7.11, 3.9.5 and 3.10.4 of the adopted Residential Design Guide SPD (September 2006).

2. REASON FOR REFUSAL: Lack of Special Protection Area Mitigation

In the absence of either a scheme of works or a completed Section 106 legal agreement or unilateral 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 Core Strategy Partial Review (2015) as supported by the Habitats Regulations.

RECORDED VOTE FOR REFUSAL

FOR: Councillors Claisse, L Harris and Mintoff

AGAINST: Councillor Lloyd

ABTAINED: Councillor Denness

32. **106-113 ST MARY STREET, 15/01250/FUL**

The Panel considered the report of the Planning and Development Manager recommending the approval of delegated authority to grant planning permission in respect of an application for a proposed development at the above address.

Erection of four additional storeys (above the ground floor retail units to be retained) to provide 74 residential units (21 studios, 34 x one bedroom flats, 17 x two bedroom flats and 2 x three bedroom flats) with associated facilities.

Brian Eyre (local resident/objecting), Councillor Tucker (Ward Councillor/objecting) John Ferguson (agent/ supporting) and Adam Covell (architect/ supporting) were present and with the consent of the Chair, addressed the meeting.

RESOLVED

- (i) to delegate authority to the Planning and Development Manager to grant planning permission subject to criteria listed in report and the amendment to the conditions, set out below.

Additional Condition

19. APPROVAL CONDITON – Fifth floor amenity space [Pre-Occupation Condition]
Prior to occupation details of the amenity space proposed on the fifth floor shall be submitted to and be approved in writing by the Local Planning Authority. The details shall include plans indicating private amenity areas for the three-bed units. The approved works shall be undertaken prior to occupation and be retained in perpetuity unless otherwise agreed in writing.

Reason:

In the interests of future occupiers.

NOTE

- (i) that the following conditions be renumbered in line with the addition of a new condition; and

(ii) that officers notify colleagues with planning enforcement about the state of repair of the former grocers on the corner of St Mary and Ascupart Streets.

33. **58 PARK ROAD, 15/01504/FUL**

The Panel considered the report of the Planning and Development Manager recommending conditional approval be granted in respect of an application for a proposed development at the above address.

Change of use from dwellinghouse (Class C3) to a house in multiple occupation (Class C4).

RESOLVED that planning permission be granted subject to the conditions listed in the report and the additional condition set out below.

Additional Condition

APPROVAL CONDITION - Cycle Storage [Pre-Commencement Condition]

Prior to occupation, details (and amended plans) of facilities to be provided for the storage of cycles at the premises shall be submitted to the Local Planning Authority and approved in writing. Such facilities as approved shall be permanently maintained and retained for that purpose.

Reason:

To encourage cycling as an alternative form of transport.

34. **21 SPRING CRESCENT, 15/01259/FUL**

The Panel considered the report of the Planning and Development Manager recommending conditional approval be granted in respect of an application for a proposed development at the above address.

Conversion of dwelling to 1 x 3-bedroom flat and 1 x 2- bedroom flat with first floor rear extension and associated amenity, cycle and bin storage areas.

Jonathan Chipp (Local Resident/ Objecting) was present and, with the consent of the Chair, addressed the meeting.

RESOLVED to refuse planning permission for the reasons set out below:

Reasons for Refusal

REASON FOR REFUSAL - Residential Amenity

There is a lack of evidence submitted with the application through the assessment of kerbside parking capacity within the local area to determine whether there would be a detrimental impact on amenities of neighbouring occupiers from residents being inconvenienced not being able to park their vehicles in close walking distance to their properties. As such, the proposal would be contrary to saved policy SDP1(i) of the Local Plan Review (amended March 2015) and policy CS19 of the Southampton Core

Strategy Development Plan Document (2015) as supported by the guidance set out in Council's adopted Parking Standards Supplementary Planning Document (September 2011).

REASON FOR REFUSAL - Lack of Section 106 or unilateral undertaking to secure planning obligations.

In the absence of either a scheme of works or a completed Section 106 legal agreement or unilateral 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.

NOTE: Councillor Claisse declared an interest in the above application and after making his representation, left the meeting before the determination

Agenda Annex

INDEX OF PLANNING APPLICATIONS FOR DECISION PLANNING AND RIGHTS OF WAY PANEL (WEST)

DATE: 17 November 2015 - 6pm

Conference Rooms 3 and 4, 1st Floor, Civic Centre

Main Agenda Item Number	Officer	Recommendation	PSA	Application Number / Site Address
5	JT	DEL	15	15/01711/FUL 14 Westwood Road
6	LG	REF	5	15/01551/OUT King George Public House, Oakley Road
7	AL	DEL	15	15/01622/FUL 47-49 Archers Road

PSA – Public Speaking Allowance (mins); CAP - Approve with Conditions: DEL - Delegate to Officers: PER - Approve without Conditions: REF – Refusal: TCON – Temporary Consent: NOBJ – No objection

Officer:

JT – Jenna Turner

LG – Laura Grimason

AL – Anna Lee

Southampton City Council - Planning and Rights of Way Panel

Report of Planning & Development Manager

Local Government (Access to Information) Act 1985

Index of Documents referred to in the preparation of reports on Planning

Applications:

Background Papers

1. Documents specifically related to the application
 - (a) Application forms, plans, supporting documents, reports and covering letters
 - (b) Relevant planning history
 - (c) Response to consultation requests
 - (d) Representations made by interested parties

2. Statutory Plans
 - (a) Hampshire, Portsmouth, Southampton and New Forest National Park Minerals and Waste Plan (Adopted 2013)
 - (b) Amended City of Southampton Local Plan Review (Adopted March 2015)
 - (c) Local Transport Plan 2006 – 2011 (June 2006)
 - (d) Amended City of Southampton Local Development Framework – Core Strategy (inc. Partial Review) (adopted March 2015)
 - (e) Adopted City Centre Action Plan (2015)
 - (f) Community Infrastructure Levy Charging Schedule (2013)

3. Statutory Plans in Preparation
 - (a) Emerging Bassett Neighbourhood Plan (Post Examination) (2015)

4. Policies and Briefs published and adopted by Southampton City Council
 - (a) Old Town Development Strategy (2004)
 - (b) Public Art Strategy
 - (c) North South Spine Strategy (2004)
 - (d) Southampton City Centre Development Design Guide (2004)
 - (e) Streetscape Manual (2005)
 - (f) Residential Design Guide (2006)
 - (g) Developer Contributions SPD (September 2013)
 - (h) Greening the City - (Shoreburs; Lordsdale; Weston; Rollesbrook Valley; Bassett Wood and Lordswood Greenways) - 1985-1995.
 - (i) Women in the Planned Environment (1994)
 - (j) Advertisement Control Brief and Strategy (1991)
 - (k) Biodiversity Action Plan (2009)
 - (l) Economic Development Strategy (1996)
 - (m) Test Lane (1984)
 - (n) Itchen Valley Strategy (1993)

- (o) Portswood Residents' Gardens Conservation Area Character Appraisal (1999)
- (p) Land between Aldermoor Road and Worston Road Development Brief Character Appraisal(1997)
- (q) The Bevois Corridor Urban Design Framework (1998)
- (r) Southampton City Centre Urban Design Strategy (2000)
- (s) St Mary's Place Development Brief (2001)
- (t) Ascupart Street Development Brief (2001)
- (u) Woolston Riverside Development Brief (2004)
- (v) West Quay Phase 3 Development Brief (2001)
- (w) Northern Above Bar Development Brief (2002)
- (x) Design Guidance for the Uplands Estate (Highfield) Conservation Area (1993)
- (y) Design Guidance for the Ethelburt Avenue (Bassett Green Estate) Conservation Area (1993)
- (z) Canute Road Conservation Area Character Appraisal (1996)
- (aa) The Avenue Conservation Area Character Appraisal (1997)
- (bb) St James Road Conservation Area Character Appraisal (1996)
- (cc) Banister Park Character Appraisal (1991)*
- (dd) Bassett Avenue Character Appraisal (1982)*
- (ee) Howard Road Character Appraisal (1991) *
- (ff) Lower Freemantle Character Appraisal (1981) *
- (gg) Mid Freemantle Character Appraisal (1982)*
- (hh) Westridge Road Character Appraisal (1989) *
- (ii) Westwood Park Character Appraisal (1981) *
- (jj) Cranbury Place Character Appraisal (1988) *
- (kk) Carlton Crescent Character Appraisal (1988) *
- (ll) Old Town Conservation Area Character Appraisal (1974) *
- (mm) Oxford Street Conservation Area Character Appraisal (1982) *
- (nn) Bassett Green Village Character Appraisal (1987)
- (oo) Old Woolston and St Annes Road Character Appraisal (1988)
- (pp) Northam Road Area Improvement Strategy (1987)*
- (qq) Houses in Multiple Occupation (2012)
- (rr) Vyse Lane/ 58 French Street (1990)*
- (ss) Tauntons College Highfield Road Development Guidelines (1993)*
- (tt) Old Woolston Development Control Brief (1974)*
- (uu) City Centre Characterisation Appraisal (2009)
- (vv) Parking standards (2011)

* NB – Policies in these documents superseded by the Residential Design Guide (September 2006, page 10), albeit character appraisal sections still to be had regard to.

5. Documents relating to Highways and Traffic

- (a) Hampshire C.C. - Movement and Access in Residential Areas
- (b) Hampshire C.C. - Safety Audit Handbook
- (c) Southampton C.C. - Cycling Plan (June 2000)
- (d) Southampton C.C. - Access for All (March 1995)

- (e) Institute of Highways and Transportation - Transport in the Urban Environment
- (f) I.H.T. - Traffic Impact Assessment Guidelines
- (g) Freight Transport Association - Design for deliveries
- (h) DETR Traffic Advisory Leaflets (various)

6. Government Policy Planning Advice

- (a) National Planning Policy Framework (27.3.2012)
- (b) National Planning Policy Guidance Suite

7. Other Published Documents

- (a) Planning for Daylight and Sunlight - DOE
- (b) Coast and Countryside Conservation Policy - HCC
- (c) The influence of trees on house foundations in clay soils - BREDK
- (d) Survey and Analysis - Landscape and Development HCC
- (e) Root Damage to Trees - siting of dwellings and special precautions – Practice Note 3 NHDC
- (f) Shopping Policies in South Hampshire - HCC
- (g) Buildings at Risk Register SCC (1998)
- (h) Southampton City Safety Audit (1998)
- (i) Urban Capacity Study 2005 – 2011 (March 2006)
- (j) Strategic Housing Land Availability Assessment (March 2013)

Agenda Item 5

**Planning, Transport & Sustainability Division
Planning and Rights of Way Panel (West) 17th November 2015
Planning Application Report of the Planning and Development Manager**

Application address: 14 Westwood Road & 90-92 Cambridge Road			
Proposed development: Redevelopment of the site. Erection of a 5-storey building to provide 18 flats (14 x two-bedroom and 4 x three-bedroom) with associated parking and vehicular access from Cambridge Road following the demolition of the existing buildings.			
Application number	15/01711/FUL	Application type	FUL
Case officer	Jenna Turner	Public speaking time	15 minutes
Last date for determination:	23.11.2015	Ward	Bevois
Reason for Panel Referral:	Major application with objections	Ward Councillors	Cllr Rayment Cllr Barnes-Andrews Cllr Burke

Applicant: Mr Roath – P&P Property Services	Agent: Mr Jez Davies - Studio Four Architects
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Recommendation Summary	Delegate to Planning and Development Manager 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 judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and 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). "Saved" Policies – SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP11, SDP12, SDP13, CLT5, CLT6, H1, H2, and H7 of the City of Southampton Local Plan Review – Amended 2015 as supported by the adopted LDF Core Strategy (amended 2015) Policies CS3, CS4, CS5, CS7, CS13, CS15, CS16, CS18, CS19, CS20 and CS25 and the Council's current adopted Supplementary Planning Guidance. The guidance within the National Planning Policy Framework (2012) is also relevant to the determination of this planning application.

Appendix attached	
1. Panel Report and Minutes for application 09/00847/FUL	2. Development Plan Policies
3. Planning History	

Recommendation in Full

1. Delegate to the Planning and Development Manager to grant planning permission subject to the completion of a S.106 Legal Agreement to secure:
 - i. 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 (March 2006), policies CS18 and CS25 of the adopted LDF Core Strategy (2010) and the adopted SPD relating to Planning Obligations (September 2013);
 - ii. The provision of affordable housing in accordance with Policies CS15, CS16 and CS25 of the Local Development Framework Core Strategy Development Plan Document and the adopted SPD relating to Planning Obligations, subject to viability.
 - iii. In the event that lesser affordable housing is accepted, the completion of the development within 24 months of the date of planning permission or a review of the viability of the development.
 - iv. Financial contributions towards Solent Disturbance Mitigation Project (SDMP) in accordance with the Conservation of Habitats and Species Regulations 2010 (as amended), saved policy SDP12 of the City of Southampton Local Plan Review (as amended 2015), CS22 of the Core Strategy (as amended 2015) and the Planning Obligations SPD (September 2013). Measures to mitigate 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 2010.
 - v. 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.
 - vi. The submission, approval and implementation of a Carbon Management Plan setting out how carbon neutrality will be achieved and/or how remaining carbon emissions from the development will be mitigated in accordance with policy CS20 of the Core Strategy and the Planning Obligations SPD (September 2013).
 - vii. Restrictions to prevent future occupiers benefitting from parking permits in surrounding streets. No student, with the exception of registered disabled drivers, shall be entitled to obtain parking permits to the Council's Controlled Parking Zones.
3. In the event that the legal agreement is not completed within 2 months of the panel meeting the Planning and Development Manager be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.
4. That the Planning and Development Manager be given delegated powers to add, vary and /or delete relevant parts of the Section 106 agreement and/or conditions as necessary.

1 Background

- 1.1 The application follows two previous similar applications on the site. Firstly, in 2009, planning application reference 09/00847/FUL benefitted from a resolution to grant planning permission from the Planning and Rights of Way Panel, subject to the completion of the section 106 legal agreement. The section 106 agreement was not completed before the application target date and was instead refused on this basis. The report to the Planning and Rights of Way Panel and the minutes of the meeting are included as **Appendix 1** to this report. An identical application was submitted in 2010 (reference 10/01741/FUL), although withdrawn before being considered.

2 The site and its context

- 2.1 The application site is formed of two parts; 14 Westwood Road, which is a three storey Victorian era villa and, to the rear of this property; 90-92 Cambridge Road which is a two-storey building comprising two flats. 14 Westwood Road is currently occupied as a 9-bedroom House in Multiple Occupation (HMO) and a 5-bedroom HMO. The property is served by a parking area to the front, accessed from Westwood and two yard areas to the rear and the side of the building. There is a protected Ash Tree to the front of the site.
- 2.2 On Westwood Road, the site is neighboured by two, four-storey blocks of flats. The character of Westwood Road is varied and includes flatted developments of different ages and architectural styles. In general, the street is characterised by substantial buildings in generous, well-spaced plots. Storey heights in Westwood Road range between 3 and 5 storeys. To the south of the site, the character is more domestic and typically comprises two-storey, semi-detached and terraced houses.

3 Proposal

- 3.1 The application seeks full planning permission to demolish both 14 Westwood Road and 90-92 Cambridge Road and to construct a block of 18 flats which includes two and three-bedroom accommodation. The scheme is largely unaltered from the previous scheme on this site, which benefitted from a resolution to grant planning permission, albeit the level of car parking has been increased from 6 to 18 spaces.
- 3.2 The block would be set back by between 11 and 13 metres from the boundary with Westwood Road, incorporating over 57sq.m of amenity space, directly accessible from two ground floor flats, as well as two car parking spaces and refuse storage. The scheme has been amended slightly since originally submitted to provide on-site turning for these two car parking spaces and to provide a more robust brick-built bin enclosure.
- 3.3 To the rear of the site, accessed from Cambridge Road, the development would be served by a further 16 car parking spaces and purpose built cycle storage. A communal amenity space area of over 160 sq.m would also be provided to the rear. Each of the upper floor flats would have access to a private balcony of just under 4 sq.m in area and the top floor flats would each be served by private terraces of over 28 sq.m in area.
- 3.4 The proposed building would provide five storeys of accommodation, with the top-

floor set-back from the eastern parapet to provide the roof terraces, giving the building a part 4 and part 5-storey appearance. The elevations are indicated to be a brick, render and coloured weather board finish and would be articulated with front and rear projecting bay windows and a curved roof.

4 Relevant Planning Policy

- 4.1 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 2**.
- 4.2 The site is not identified for development within the adopted Development Plan. Major developments are expected to meet high sustainable construction standards in accordance with Core Strategy Policy CS20 and Local Plan “saved” Policy SDP13.
- 4.3 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.

5 Relevant Planning History

- 5.1 The most relevant planning history of the site is set out in **Appendix 3** of this report.

6 Consultation Responses and Notification Representations

- 6.1 Following the receipt of the planning application, a publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners, placing a press advertisement (28.08.15) and erecting site notices (09.10.15). At the time of writing the report **28** representations have been received from surrounding residents, the three ward Councillors and Councillor Claisse. The following is a summary of the points raised:
- 6.2 *The 5-storey scale will dwarf the neighbouring development.*
Response:
On the Westwood Road frontage, the site is neighboured by 4-storey flatted blocks of substantial massing and directly opposite the site, Buckingham Court is 5-storeys and located on a slightly elevated plot. Westwood Road is characterised by large buildings which generally range between 3 and 5 storeys in height. Other examples of 5-storey development include Avenue Court; 31 Westwood Road; Westwood Court and; at 62-70 Westwood Road. Furthermore, opposite the site at 11 Westwood Road work underway of the construction of a part 4 and part 5 storey block of flats. As such, the scale of the building is considered appropriate having regard to the context of the site.
- 6.3 The proposed building would be over 32 metres from the nearest residential properties to the south of the site in Cambridge Road which is sufficient to ensure that the development would not appear over-bearing when viewed from the south

of the site. Furthermore, the relationship between the development and the two-storey development to the south is similar to that which exists between other developments on the south side of Westwood Road and the more domestic scale properties on Gordon Avenue, Cambridge Road and Alma Road.

- 6.4 *The development will result in overlooking of the neighbouring properties and a loss of privacy.*

Response:

Habitable rooms within the development are served by windows that either face Westwood Road or the rear of the site. The side-facing bedroom windows are secondary and, as such, a condition is suggested to ensure that these are fixed shut and obscurely glazed. There is over 30 metres between the rear elevation of the building and the properties to the south of the site. This is sufficient to ensure no harmful overlooking and is also typical of the separation distances to be found elsewhere on Westwood Road.

- 6.5 *The application proposes insufficient car parking and would exacerbate existing on-street car parking pressure.*

Response:

The application will provide one car parking space for each residential unit of accommodation proposed. The application site lies within 800 metres of Portswood District Centre and less than 200 metres from its high accessibility bus corridor. The site is, therefore, well served by excellent public transport links and local shops and services and the level of parking is considered to be acceptable. The parking is restricted on streets to the south of the site and it is recommended that occupants of this development would not be eligible for parking permits. Furthermore, the level of car parking is considered to be reasonable for a flatted development of this nature and it is noted that the same ratio of car parking provision was also recently accepted opposite the site at 11 Westwood Road (reference 13/00849/FUL). It is also important to note that the previous scheme for 18 flats on this site, which was subject to a resolution to grant planning permission, included 6 car parking spaces.

- 6.6 *Concerned with the loss of trees from the site.*

Response:

The application proposes the removal of 6 trees from the site which includes the removal of the protected Ash Tree to the Westwood Road frontage. However, the Council's Tree Officer has confirmed that the tree is structurally poor with indications of decay. As such, there is no objection to its removal. The layout provides sufficient space to provide replacement trees at a ratio of 2 trees for every single tree removed and conditions are suggested to secure this.

- 6.7 *Cambridge Road is not suited to the large increase of use that will result from the development and the proposed access is not safe. Cambridge Road and Alma Road are used by cyclists to access The Avenue and this route would be less safe as a result of the development. The main access into the development should be from Westwood Road.*

Response:

The principle of taking access from Cambridge Road has been previously accepted by the Council, albeit serving a lesser number of car parking spaces. Having regard to the level of on-street car parking within Cambridge Road and the surrounding streets, vehicular speeds on these routes is low, reducing the risk of accidents. Furthermore, it is not unusual for cyclists and vehicles to use the same streets in

the city.

- 6.8 *The development would result in the loss of two homes from Cambridge Road.*

Response:

There is no policy requirement to retain the existing dwellings on site. The application proposes the net gain of 14 residential units and so the principle of development is acceptable.

- 6.9 *The building would result in a loss of light to the neighbouring properties.*

Response:

There would be approximately 5 metres between the proposed building and the neighbouring block of flats at Glenmore Court and 9 metres between the proposed building and Kerrigan Court. Whilst the proposed building would project further than the shallowest part of the neighbouring flats by between 5 and 9 metres, the separation is sufficient to ensure that the development would adhere to the Council's guidelines that protect the outlook and daylight to neighbouring properties. Having regard to the separation distances and orientation of the plot, the building would not result in over-shadowing or a loss of light to the neighbouring properties to the south of the site.

- 6.10 *The demolition and construction would lead to noise and disturbance for residents.*

Response:

Conditions are suggested to minimise the impact during the construction process through restricting the hours of construction and demolition and requiring a management plan to be agreed and adhered to.

- 6.11 *14 Westwood Road is one of the few remaining Victorian properties on Westwood Road and should be retained for its historic/architectural merit.*

Response:

14 Westwood Road is not locally or statutorily Listed and the site does not lie within a Conservation Area. As such, there is no policy requirement to retain the building. Furthermore, since the Council's policies support the redevelopment of previously developed land to provide further housing, the principle of development is acceptable.

Consultation Responses

- 6.12 **SCC Highways** – Requested more information and amended plans regarding the access, parking, cycle and refuse storage. Amended plans have been received to provide robust and enclosed structures for the refuse and cycles, to re-position the frontage car parking and widen the access at the rear of the site. Subject to conditions to secure the final details and securing site specific highways measures through the section 106 agreement, no objection is raised.

- 6.13 **SCC Heritage and Conservation** - Previous advice regarding this site was that, as the building is one of the few remaining Victorian villas in the street, the preference was for retention. If retention was not possible the building should be subject to a Level II building record (which is mainly a photographic survey of both the internal and external features, supported by limited written and drawn records). Archaeological recording would also be required during groundworks in the form of a Watching Brief. Conditions are suggested to secure these measures.

- 6.14 **SCC Sustainability Team** – No objection subject to conditions to secure energy

and water efficiency measures.

- 6.15 **SCC Environmental Health (Pollution & Safety)** – No objections. Suggest conditions to manage the demolition and construction process.
- 6.16 **SCC Environmental Health (Contaminated Land)** – No objection. Suggest conditions to secure a contaminated land investigation and any necessary remediation measures.
- 6.17 **SCC Ecology** – No objection subject to conditions to secure ecological mitigation measures, the protection of nesting birds during site clearance and details of external lighting.
- 6.18 **SCC Trees** – There are nine trees on the site, three of which are of large stature providing visual amenity. Out of these nine, six are noted down for removal for this proposed development. One of the trees down for removal is an ash tree at the front of the site, plotted on the survey as T7. This has a Tree Preservation Order (TPO) as T2-511, which means that all parts of this tree is protected above and below ground. This tree however, is in fair condition, with several wounds round the base and indications of decay on the buttresses. The tree is also located within a severely compacted area. Structurally the tree is poor, with an included union at the base, which could cause further structural issues in the future. There is also damage to the boundary wall caused by the tree, making it hard to justify the tree's retention. A suitable replant will be required, with the landscape plan showing no intention of this tree being replaced.

With six trees down for removal only five replants are proposed. It is council policy to have a two for one replacement, but looking at the site it does not look possible to plant twelve trees due to available space on site. There is however room for potentially one or two more, especially at the front on Westwood Road side where the proposed ash tree, with a TPO is to be removed.

The replant list has a good variety of different species, to help ensure establishment and sustainability, yet none of the tree stock proposed will reach the same stature as the trees that are to be removed. Ideally at least one of the proposed trees to be planted should be changed to a species that would reach a significant stature in the future.

There appears to be adequate ground protection proposed for the retained trees. On the ash tree noted as T6 on the survey however, one of the proposed car park bays will encroach within the Root Protection Area (RPA). This bay will also require the above soil surfacing, that is outlined within in the plan. The surfacing used within the RPA will have to be permeable, to enable adequate moisture available for the tree and ensure long term retention.

Suggests conditions to secure an Arboricultural Method Statement, tree protection measures and a detailed landscaping scheme.

- 6.19 **SCC City Design** – No objection to the design of the building. Suggest the two car parking spaces are omitted from the frontage and the refuse store is constructed from brick and screened by landscaping.
- 6.20 **Southern Water** – No objection subject to a condition to secure details of foul and surface water disposal.

- 6.21 **SCC Housing** – As the scheme comprises of 14 dwellings net the affordable housing requirement from the proposed development is 20% (CS15- sites of 5-14 units = 20%). The affordable housing requirement is therefore 3 dwellings (2.8 rounded up). In this case provision would be sought on site. Planning conditions and or obligations will be used to ensure that the affordable housing will remain at an affordable price for future eligible households, or for the subsidy to be recycled to alternative housing provision.

7 Planning Consideration Key Issues

- 7.1 The key issues for consideration in the determination of this planning application are:

- (i) The principle of this development;
- (ii) The suitability of the design;
- (iii) The impact on the living conditions of nearby residents;
- (iv) Highways and parking;
- (v) Affordable housing and viability and;
- (vi) Impact on protected habitats.

7.2 (i) Principle of Development

- 7.2.1 The application would make good use of previously developed land to provide further residential units of accommodation. The principle of development, is therefore, acceptable.

- 7.2.2 Policy CS5 of the Core Strategy sets out that in medium accessibility areas, residential densities should generally accord with the range of 50-100 dwellings per hectare. The proposal would achieve a density of 149 dwellings per hectare (dph) and, in accordance with Policy CS5, needs to be assessed, therefore, in terms of the character of the area, the quality and quantity of the external space provided and the accessibility of the site by public transport. Westwood Road does have a dense residential character due to the high number of flatted blocks within the street. Immediately adjacent to the application site, Kerrigan Court achieves a residential density of 126 dph, and opposite the site, Hanover Gables provides 142 dph and 11 Westwood Road will achieve a residential density of 152 dph. As noted above, the site is within close proximity to the high-accessibility bus corridor and within a reasonable walking distance of Portswood District Centre. The location of the site is, therefore, considered appropriate for higher density development. This issue is discussed in more detail, below, in relation to the character of the area.

- 7.2.3 In terms of the residential mix, CS16 of the Core Strategy sets out that the Council will seek a target of 30% of major developments to be family dwellings and the appropriate percentage of family housing for each site will depend upon the established character and density of the neighbourhood and the viability of the scheme. The application includes 2 genuine family units on the top floor of the building, with direct access to sufficient private amenity space. Whilst two further three-bedroom units are provided, these do not comply with the policy definition of family homes since they do not have direct access to 20 sq.m of private amenity space. Whilst the number of family units falls below the policy target, taking into the character and density of the neighbourhood as required by Policy CS16, this level of provision is considered to be acceptable.

7.3 (ii) Suitability of the Design

- 7.3.1 As noted, Westwood Road has a varied character which contains a number of flatted blocks, ranging from 3 to 5 storeys in scale and the site is immediately neighboured by buildings of substantial mass. As such, the scale of the development is considered to be acceptable in terms of the context of the site. The proposed building steps up from 4 to 5 storeys and uses a curved roof to ensure the massing would appear sympathetic within the street. The front and rear elevations of the building are articulated by projecting bay windows, balconies and contrasting materials to provide varied and attractive elevations.
- 7.3.2 The proposed building respects the typical set back of buildings in the context from both the front and rear boundaries. The proposed layout allows for sufficient areas of soft landscaping to incorporate tree planting and to provide an acceptable setting for the building. Whilst the level of hard-surfacing has increased from previous schemes, it is considered that the current proposal provides a more appropriate balance between the provision of car parking and external amenity space. Furthermore, it is not unusual in Westwood Road to find the rear areas of development to be largely given over to car parking provision.
- 7.3.3 In terms of the quality of accommodation proposed, four of the units would be served by private amenity space areas which exceed the Council's guidelines and whilst the remaining flats would be served by 11 sq.m of amenity space (less than the 20 sq.m suggested by the Residential Design Guide), each would have access to a private balcony as well as direct access to south-facing, communal amenity space. Furthermore, the site is less than 200 metres walking distance to The Common and the level of amenity space provided is characteristic of the site's context. The size of the flats themselves range between 60 and 70 sq.m in area and enjoy good outlook from habitable room windows. As such, it is considered that a high-quality residential environment would be achieved.
- 7.3.4 Furthermore, it is important to note that the scheme is supported by the Council's Design Officer and that the scale, design and appearance of the development were tested against the Council's current planning policy framework in 2009 and found acceptable at that time.
- 7.4 (iii) Impact on Living Conditions
- 7.4.1 As set out above, whilst the building does project slightly further than the neighbouring blocks of flats, the separation between the building and habitable room windows in neighbouring developments is sufficient to ensure that the Council's standards that protect outlook, daylight and sunlight would be met.
- 7.4.2 Habitable room windows in the development take outlook from a northerly or southerly direction and a condition is suggested to ensure any side-facing windows area obscure glazed and fixed shut to avoid harmful over-looking of the neighbouring properties.
- 7.4.3 A separation distance of over 30 metres to properties to the south is sufficient to ensure no harmful over-looking. As noted above, given the orientation of the plot, the proposal would not affect sunlight and daylight access to properties to the south of the site.
- 7.5 (iv) Highways and Parking
- 7.5.1 The adopted Development Plan seeks to reduce the reliance on the private car for travel and instead promotes more sustainable modes of travel such as public

transport, walking and cycling. As such, the Council's policies seek to guide higher density residential development to locations that are well served by public transport and local amenities. Saved Policy SDP5 of the Local Plan confirms that the provision of car parking is a key determinant in the mode of travel and Core Strategy Policy CS19 requires a balance to be struck between providing a practicable level of car parking whilst promoting more sustainable patterns of development.

- 7.5.2 As set out above, the level of parking provided has increased since the scheme was considered in 2009 and each residential unit would now have access to an off-road car parking space. This change is to reflect the introduction of the Car Parking Standards Supplementary Planning Document since the scheme was originally considered by the Council. This level of car parking is reasonable, having regard to the accessibility of the site and flatted nature of the development. A Parking Stress Survey has been carried out and demonstrates that on average there are 30 on-street car parking spaces available in the vicinity of the site. There is typically more parking availability in Westwood Road compared with the streets to the south of the site. Whilst the streets to the south of the site tend to be more heavily parked, there are car parking restrictions in place. The section 106 agreement will be used to prevent occupants of the development from having access to car parking permits so that the amenities of residents to the south will not be adversely affected by increased competition for spaces.
- 7.5.3 The access to the site is proposed to be taken from Cambridge Road. Whilst many of the representations received would prefer an alternative access arrangement (from Westwood Road), in highway safety terms, the location of the proposed access is acceptable. Cambridge Road and adjoining streets are adopted public highways and accordingly, there is no planning reason to prevent their use by further development in the area.
- 7.5.4 As part of the section 106 legal agreement it is proposed to provide improved pedestrian crossing facilities at the junction of Alma Road and Cambridge Road as well on Westwood Road. Subject to these measures the proposal is, therefore, considered to be acceptable in this respect.
- 7.6 (v) Affordable Housing and Viability
- 7.6.1 The application is accompanied by a viability appraisal which concludes that the scheme would not be viable with the full raft of planning obligations set out in the adopted Development Plan. When considering development viability, the National Planning Policy Framework (para 173) confirms that the scale of planning obligations should not undermine the deliverability of developments and advises that planning obligations should, when taking into account the normal cost of development and mitigation, provide competitive returns to landowners to enable development to be delivered. Policy CS16 of the Core Strategy seeks the provision of 20% affordable housing where a net gain of between 5 and 14 residential units would be achieved and also requires the level of affordable housing to be considered in relation to the financial viability of the site. The developer's appraisal will be independently tested by the Council and this review will inform the level of contributions to be secured by the section 106 legal agreement. Since new development generates wider economic benefits and the development would deliver further residential development, for which there is an identified need, if the developer's viability position is accepted, then a reduced, or no affordable housing contribution is considered to be appropriate.

7.7 (vi) Protected Habitats Impact

7.7.2 The Conservation of Habitats and Species Regulations 2010 (as amended) provides statutory protection for designated sites, known collectively as Natura 2000, including Special Areas of Conservation (SAC) and Special Protection Areas (SPA). This legislation requires competent authorities, in this case the Local Planning Authority, to ensure that plans or projects, either on their own or in combination with other plans or projects, do not result in adverse effects on these designated sites. The Solent coastline supports a number of Natura 2000 sites including the Solent and Southampton Water SPA, designated principally for birds, and the Solent Maritime SAC, designated principally for habitats. Research undertaken across south Hampshire has indicated that current levels of recreational activity are having significant adverse effects on certain bird species for which the sites are designated. A mitigation scheme, known as the Solent Disturbance Mitigation Project (SDMP), requiring a financial contribution of £174 per unit has been adopted. The money collected from this project will be used to fund measures designed to reduce the impacts of recreational activity. This application will comply with the requirements of the SDMP (when the legal agreement is completed) and meets the requirements of the Conservation of Habitats and Species Regulations 2010 (as amended).

8 Summary

8.1 The proposal would make good use of previously developed land to provide further residential accommodation. The design closely follows a scheme previously found to be acceptable by the Council, albeit with a greater level of car parking provision to reflect changes in planning policy. The application proposes a high quality residential environment for future residents and the design and level of development are appropriate for the context of the site.

9 Conclusion

9.1 It is recommended that planning permission be granted subject to a Section 106 agreement and conditions.

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) 3. (a) 4. (g) 6. (a) (c) (f) (i) 7. (a) 9. (a) (b)

JT for 17/11/2015 PROW Panel

PLANNING CONDITIONS

01.APPROVAL CONDITION - Full Permission Timing Condition - Physical works

The development works 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 - 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.

03. APPROVAL CONDITION - Details of building materials to be used [Pre-Commencement Condition]

Notwithstanding the information shown on the approved drawings and application form no development works shall be carried out unless and until a written schedule of external materials and finishes has been submitted to and approved in writing by the Local Planning Authority. Development shall be implemented only in accordance with the agreed details. These shall include full details of the manufacturers, types and colours of the external materials to be used for external walls, windows, doors and the roof of the proposed buildings. The details shall include an alternative material finish to the blue weather-boarding to the rear elevation of the building. It is the Local Planning Authority's practice to review all such materials on site. The developer should have regard to the context of the site in terms of surrounding building materials and should be able to demonstrate why such materials have been chosen and why alternatives were discounted. If necessary this should include presenting alternatives on site.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality.

04. APPROVAL CONDITION – Refuse and Cycle Storage [Pre-Occupation Condition]

The cycle and refuse storage shall be provided in accordance with the plans hereby approved, before the flats are first occupied. The storage shall be constructed using brick to match the block of flats with fully enclosed roofs. The storage shall thereafter be retained and made available for that purpose.

Reason: In the interests of visual amenity, the amenities of future occupiers of the development and the amenities of occupiers of nearby properties.

05. APPROVAL CONDITION - Landscaping, lighting & means of enclosure detailed plan [Pre-Commencement Condition]

Notwithstanding the submitted details before the commencement of any site works a detailed landscaping scheme and implementation timetable shall be submitted to and approved in writing by the Local Planning Authority, which includes:

- i. proposed finished ground levels or contours; means of enclosure; car parking layouts; other vehicle pedestrian access and circulations areas, hard surfacing materials, structures and ancillary objects (refuse bins, lighting columns etc.);
- 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. an accurate plot of all trees to be retained and to be lost. Any trees to be lost shall be replaced on a favourable basis (a two-for one basis unless circumstances dictate otherwise);
- iv. details of any proposed boundary treatment including.
- v. a landscape management scheme.

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. The approved hard and soft landscaping scheme (including parking) 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.

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. APPROVAL CONDITION - Arboricultural Protection Measures [Pre-Commencement Condition]

No works or development shall take place on site until a scheme of supervision for the arboricultural protection measures has been approved in writing by the LPA. This scheme will be appropriate to the scale and duration of the works and may include details of:

- Induction and personnel awareness of arboricultural matters
- Identification of individual responsibilities and key personnel
- Statement of delegated powers
- Timing and methods of site visiting and record keeping, including updates
- Procedures for dealing with variations and incidents.

Reason: To provide continued protection of trees, in accordance with Local Plan Policy SDP12 and British Standard BS5837:2012, throughout the development of the land and to ensure that all conditions relating to trees are being adhered to. Also to ensure that any variations or incidents are dealt with quickly and with minimal effect to the trees

07. APPROVAL CONDITION - Arboricultural Method Statement [Pre-Commencement Condition]

No operation in connection with the development hereby permitted shall commence on site until a site specific Arboricultural Method Statement in respect of the protection of the trees during all aspects of work on site is submitted and agreed in writing by the Local Planning Authority. It will be written with contractors in mind and will be adhered to throughout the duration of the demolition and development works on site. The Method Statement will include the following:

1. A specification for the location and erection of protective fencing around all vegetation to be retained
2. Specification for the installation of any additional root protection measures
3. Specification for the removal of any built structures, including hard surfacing, within protective fencing areas.
4. Specification for the construction of hard surfaces where they impinge on tree roots
5. The location of site compounds, storage areas, car parking, site offices, site access, heavy/large vehicles (including cranes and piling rigs)
6. An arboricultural management strategy, to include details of any necessary tree surgery works, the timing and phasing of all arboricultural works and protection measures.
7. Specification for soft landscaping practices within tree protection zones or the canopy of the tree, whichever is greatest.

Reason: To ensure that provision for trees to be retained and adequately protected throughout the construction period has been made.

08. APPROVAL CONDITION - Wheel Cleaning Facilities [Pre-Use Condition]

During the period of the preparation of the site, excavation for foundations or services and the construction of the development, wheel cleaning facilities shall be available on the site and no lorry shall leave the site until its wheels are sufficiently clean to prevent mud being carried onto the highway.

Reason: In the interests of highway safety.

09. APPROVAL CONDITION – Demolition and Construction Method Statement (Pre-Commencement Condition)

The development hereby approved shall not commence until a method statement and appropriate drawings of the means of demolition and construction of the development has been submitted to and approved in writing by the Local Planning Authority. The method statement shall specify vehicular access arrangements, the areas to be used for contractor's vehicle parking and plant, storage of building materials and any excavated material, temporary buildings and all working areas required for the construction of the development hereby permitted. The building works shall proceed in accordance with the approved method statement unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of neighbours and the wider environment

9. APPROVAL CONDITION - Hours of work for Demolition / Clearance / Construction [Performance Condition]

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 hours to 18:00 hours (8.00am to 6.00pm)

Saturdays 09:00 hours to 13:00 hours (9.00am to 1.00pm)

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.

10. APPROVAL CONDITION - Land Contamination investigation and remediation [Pre-Commencement & Occupation Condition]

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved by the Local Planning Authority. That scheme shall include all of the following phases, unless identified as unnecessary by the preceding phase and approved in writing by the Local Planning Authority:

1. A desk top study including;
 - historical and current sources of land contamination
 - results of a walk-over survey identifying any evidence of land contamination
 - identification of the potential contaminants associated with the above
 - an initial conceptual site model of the site indicating sources, pathways and receptors
 - a qualitative assessment of the likely risks
 - any requirements for exploratory investigations.
2. A report of the findings of an exploratory site investigation, characterising the site and allowing for potential risks (as identified in phase 1) to be assessed.
3. A scheme of remediation detailing the remedial actions to be taken and how they will be implemented.

On completion of the works set out in (3) a verification report shall be submitted to the Local Planning Authority confirming the remediation actions that have been undertaken in accordance with the approved scene of remediation and setting out any measures for maintenance, further monitoring, reporting and arrangements for contingency action. The verification report shall be approved by the Local Planning Authority prior to the occupation or operational use of any stage of the development. Any changes to these agreed elements require the express consent of the local planning authority.

Reason: To ensure land contamination risks associated with the site are appropriately investigated and assessed with respect to human health and the wider environment and where required remediation of the site is to an appropriate standard.

11. APPROVAL CONDITION - Reuse of uncontaminated soils [Performance Condition]
No soils, sub-soil or other spoil material generated from the construction must be re-used on the near-surface soils unless it can be validated as being fit for use (i.e. evidently undisturbed, natural soils or, if otherwise, tested to ensure it is free of contamination).

Reason: The property is in an area where there land has been unfilled or reclaimed. It would be prudent to ensure any potential fill material excavated during construction is not reused in sensitive areas unless it is evident that it is unlikely to present a land contamination risk.

12. APPROVAL CONDITION - Use of uncontaminated soils and fill [Performance Condition]
Clean, uncontaminated soil, subsoil, rock, aggregate, brick rubble, crushed concrete and ceramic shall only be permitted for infilling and landscaping on the site. Any such materials imported on to the site must be accompanied by documentation to validate their quality and be submitted to the Local Planning Authority for approval prior to the occupancy of the site.

Reason: To ensure imported materials are suitable and do not introduce any land contamination risks onto the development.

13. APPROVAL CONDITION- Unsuspected Contamination [Performance Condition]
The site shall be monitored for evidence of unsuspected contamination throughout construction. If potential contamination is encountered that has not previously been identified no further development shall be carried out unless otherwise agreed in writing by the Local Planning Authority. Works shall not recommence until an assessment of the risks presented by the contamination has been undertaken and the details of the findings and any remedial actions has been submitted to and approved by the Local Planning Authority. Any changes to the agreed remediation actions will require the express written consent of the Local Planning Authority.

Reason: To ensure any land contamination not previously identified is assessed and remediated so as not to present any significant risks to human health or, the wider environment.

14. APPROVAL CONDITION - Protection of nesting birds [Performance Condition]
No clearance of vegetation likely to support nesting birds shall take place between 1 March and 31 August unless a method statement has been agreed in writing by the Local Planning Authority and works implemented in accordance with the agreed details.

Reason: For the safeguarding of species protected by The Wildlife & Countryside Act 1981 (as amended) and the conservation of biodiversity

15. APPROVAL CONDITION - Ecological Mitigation Statement [Pre-Commencement Condition]

The Ecological Mitigation measures set out in section 5.6 of the '14 Westwood Road and 90 Cambridge Road, Southampton ' Updating Ecological Assessment ECOSA Ltd, Final Document. 18th August 2015' shall be fully implemented in accordance with the agreed details and thereafter retained as approved.

Reason: In the interest of local ecology and biodiversity.

16. APPROVAL CONDITION - Foul and Surface Water Drainage (Pre-Commencement Condition)

No development shall commence, apart from demolition of the existing buildings, until details of the proposed means of foul and surface water sewerage disposal has been submitted to, and approved by, the Local Planning Authority in consultation with Southern Water. The development shall be carried out in accordance with these approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order that the Local Planning Authority may be satisfied that the development would not increase the risk of flooding in the area.

17. APPROVAL CONDITION – Obscure Glazing [performance condition]

All windows location in the side elevations of the building hereby approved shall be obscurely glazed and non-opening before the development is first occupied and thereafter retained in this manner.

Reason: To avoid over-looking of the neighbouring sites in the interests of residential amenity.

18. APPROVAL CONDITION - Energy & Water [Pre-Commencement Condition]

Before the development commences, written documentary evidence demonstrating that the development will achieve at minimum 19% improvement over 2013 Dwelling Emission Rate (DER)/ Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of a design stage SAP calculations and 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.

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 (January 2010).

19. APPROVAL CONDITION - Energy & Water [performance condition]

Within 6 months of any part of the development first becoming occupied, written documentary evidence proving that the development has achieved at minimum 19% improvement over 2013 Dwelling Emission Rate (DER)/ Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of final SAP calculations and water efficiency calculator and detailed documentary evidence confirming that the water appliances/fittings have been installed as specified shall be submitted to the Local Planning Authority for its approval.

Reason: To ensure the development has minimised its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

20. APPROVAL CONDITION - Archaeological watching brief investigation [Pre-Commencement Condition]

No development shall take place within the site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that the archaeological investigation is initiated at an appropriate point in development procedure.

21. APPROVAL CONDITION - Archaeological watching brief work programme [Performance Condition]

The developer will secure the completion of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that the archaeological investigation is completed.

22. APPROVAL CONDITION ' Archaeological structure-recording [Pre-Commencement Condition]

No development shall take place within the site until the implementation of a programme of recording has been secured in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that the recording of a significant structure is initiated at an appropriate point in development procedure.

Application 15/01711/FUL

APPENDIX 1

PLANNING AND RIGHTS OF WAY PANEL
MINUTES OF THE MEETING HELD ON 24TH NOVEMBER 2009

Present: Councillor Fitzhenry (Chair),
Councillors Mrs Blatchford, Cunio, Davis, Jones (Vice-Chair),
Norris and Osmond

37. **MINUTES OF PREVIOUS MEETINGS (INCLUDING MATTERS ARISING)**

RESOLVED that the Minutes of the meeting held on 27th October 2009 be approved and signed as a correct record.

38. **CONSIDERATION OF PLANNING APPLICATIONS**

Copy of all reports circulated with the agenda and appended to the signed minutes.

38.1 09/00847/FUL 14 Westwood Road and 90-92 Cambridge Road

Re-development of the site by the erection of a part four-storey and part five-storey building to provide 18 flats (10 two-bedroom, 8 three-bedroom) with associated parking and vehicular access from Cambridge Road following demolition of the existing buildings.

Mr Edmonds (Agent) and Ms Hope, Mrs Page, Mr French and Mr Bryden (Local Residents/Objectors) were present and with the consent of the Chair, addressed the meeting.

UPON BEING PUT TO THE VOTE THE OFFICER RECOMMENDATION TO DELEGATE AUTHORITY TO THE DEVELOPMENT CONTROL MANAGER TO GRANT CONDITIONAL PLANNING PERMISSION SUBJECT TO THE APPLICANT ENTERING INTO A SECTION 106 LEGAL AGREEMENT WAS CARRIED

RECORDED VOTE:

FOR: Councillors Fitzhenry, Jones, Norris and Osmond

AGAINST: Councillors Mrs Blatchford, Cunio and Davis

RESOLVED

- (i) that authority be delegated to the Development Control Manager to grant conditional planning approval subject to:-
 - (a) the conditions in the report, the amended conditions below;
 - (b) the applicant entering into a Section 106 Legal Agreement to secure:
 - 1 a financial contribution towards the provision and maintenance of open space in accordance with policy CLT5 of the revised deposit of the Local Plan and applicable SPG;

- 2 a financial contribution towards the provision of a new children's play area and equipment in accordance with policy CLT6 of the revised deposit of the Local Plan and applicable SPG;
 - 3 a financial contribution towards site specific transport contributions for highway improvements in the vicinity of the site in accordance with appropriate SPG to encourage sustainability in travel through the use of alternative modes of transport to the private car;
 - 4 a financial contribution towards strategic transport contributions for highway network improvements in the wider area as set out in the Local Transport Plan and appropriate SPG;
 - 5 a highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer;
 - 6 the provision of a minimum of 5 Affordable Housing units in accordance with policy H9 of the Local Plan and with the relevant SPG;
 - 7 the developer paying for any necessary Traffic Regulation Order for highway residents parking provision in the vicinity of the site following consultation with local residents as to the feasibility of such a scheme; and to include a restriction on parking permits being issued to occupants of the development for the residents parking scheme;
 - 8 the submission of a Travel Plan to promote sustainable modes of transport; and
- (ii) that the Development Control Manager be authorised to refuse permission should the Section 106 Agreement not be completed by 17th December 2009 on the ground of failure to secure the provisions of the Section 106 Agreement.

Amended Conditions

12 - Landscaping Details

No development shall take place until full details of both hard and soft landscaping have been submitted to and approved in writing by the local planning authority. The submitted details shall include:

- (i) hard surfacing materials, structures and ancillary objects (including lighting);
- (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 including secure access gates to both sides of the building; and
- (iv) a landscape management scheme.

REASONS FOR THE DECISION

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations do not have sufficient weight to justify a refusal of the application. The proposal would not have a harmful affect on the character of the area nor highway safety. The level of car parking is in accordance with the Council's adopted standards. In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004, Planning permission should therefore be granted.

Policies - SDP1, SDP2, SDP3, SDP4, SDP5, SDP7, SDP9, SDP10, H1, H2, H7, H8, H12, CLT5, CLT6 and IMP1 of the City of Southampton Local Plan Review Adopted Version (March 2006)

38.2 09/00779/FUL Burlington Mansions, Shirley Road

Formation of an additional storey to the building to provide 10 two-bedroom flats and erection of a cycle and bin storage building at the rear

Mr Edmonds (Agent) was present and with the consent of the Chair, addressed the meeting.

UPON BEING PUT TO THE VOTE THE OFFICER RECOMMENDATION TO DELEGATE AUTHORITY TO THE DEVELOPMENT CONTROL MANAGER TO GRANT CONDITIONAL PLANNING PERMISSION SUBJECT TO THE APPLICANT ENTERING INTO A SECTION 106 LEGAL AGREEMENT WAS CARRIED

RECORDED VOTE:

FOR: Councillors Cunio, Fitzhenry, Jones, Norris and Osmond

AGAINST: Councillors Mrs Blatchford and Davis,

RESOLVED

- (i) that authority be delegated to the Development Control Manager to grant conditional planning approval subject to:-
 - a) the conditions in the report, the amended and additional conditions below;
 - b) the applicant entering into a Section 106 Legal Agreement to secure:
 - 1 a financial contribution towards the provision and maintenance of open space in accordance with policy CLT5 of the revised deposit of the Local Plan and applicable SPG;
 - 2 a financial contribution towards the provision of a new children's play area and equipment in accordance with policy CLT6 of the revised deposit of the Local Plan and applicable SPG;

Planning and Rights of Way Panel meeting 24 November 2009
 Planning Application Report of the Head of Division

Application address	14 Westwood Road		
Proposed development	Re-development of the site by the erection of a part four-storey and part five-storey building to provide 18 flats (10 two-bedroom, 8 three-bedroom) with associated parking and vehicular access from Cambridge Road following demolition of the existing buildings		
Application number	09/00847/FUL	Application type	Full detailed
Case officer	Jenna Turner	Application category	Q07- major small

Recommendation Summary	Delegate to Development Control Manager to grant planning permission subject to criteria listed in report
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Reason for Panel consideration	Major development (small scale) requiring completion of legal agreement under Section 106 of the 1990 Act
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Applicant	Mr H Singh	Agent	Chris Edmonds Associates
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Date of receipt	17/09/2009	City Ward	Bevois Valley
Date of registration	17/09/2009	Ward members	Cllr Burke
Publicity expiry date	29.10.09		Cllr Rayment
Date to determine	17.12.09 IN TIME		Cllr Barnes-Andrews

Site area	1204 sq.m (0.12 ha)		Usable amenity area	shown: 500 sq.m. (27sq.m. per flat)	
Density - whole site	150 d.p.h			Landscaped area	shown: 518 sq.m.
Site coverage (developed area)	56 %		Other land uses		class
Residential mix	nos	size sqm	Commercial use	-	-
Studio / 1-bedroom			Retail use	-	-
2-bedroom	10	60 sq.m	Leisure use	-	-
3-bedroom	3	72 sq.m.	other	-	-
other	-	-			

Accessibility zone	medium	Policy parking max	13 spaces
Parking Permit Zone	yes	existing site parking	6 spaces
Cyclist facilities	no	car parking provision	6 spaces
motor & bicycles	18 cycles	disabled parking	

Key submitted documents supporting application			
1	Planning Statement	2	Transport Assessment
3	Ecological Survey	4	Aboriginal Impact Appraisal and Method Statement

Appendix attached			
1	Local Plan Policy schedule	2	Planning History
3	Suggested Planning Conditions		

Recommendation in full

Delegate to Development Control Manager to grant planning permission subject to

1. the applicant entering into a Section 106 Legal Agreement to secure
 - i. A financial contribution towards the provision and maintenance of open space in accordance with policy CLT5 of the revised deposit of the Local Plan and applicable SPG
 - ii. A financial contribution towards the provision of a new children's play area and equipment in accordance with policy CLT6 of the revised deposit of the Local Plan and applicable SPG
 - iii. A financial contribution towards site specific transport contributions for highway improvements in the vicinity of the site in accordance with appropriate SPG to encourage sustainability in travel through the use of alternative modes of transport to the private car
 - iv. A financial contribution towards strategic transport contributions for highway network improvements in the wider area as set out in the Local Transport Plan and appropriate SPG
 - v. A highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer
 - vi. The provision of a minimum of 5 Affordable Housing units in accordance with policy H9 of the Local Plan and with the relevant SPG

And that the D C Manager be authorised to refuse permission if the Section 106 Agreement has not been completed by 17th December 2009 on the ground of failure to secure the provisions of the Section 106 Agreement.

Proposed Development & Surrounding Context

The application site contains two residential plots; 14 Westwood Road which comprises a 3-storey Victorian redbrick property used as a shared house; and 90-92 Cambridge Road which is 2-storey block of flats.

Many of the plots in Westwood Road have been redeveloped at different points in time meaning there is a good deal of variation in design of individual buildings. Westwood Road is characterised by large buildings located within spacious plots, ranging between 2 and 5 storeys in height and well set back from front boundaries. Property frontages typically contain mature trees and vegetation. The application site comprises two protected trees; one adjacent to the Westwood Road boundary and one on the southern site boundary. Cambridge Road by contrast comprises more traditional two-storey dwelling houses.

The application proposes the demolition of both 14 Westwood Road and 90-92 Cambridge Road and the construction of a part 4 and part 5 storey building to comprise 18 flats. The flats would be a mixture of 2 and 3 bedroom accommodations. The proposed building would be positioned to address Westwood Road with the main area of amenity space located to the rear of the building. The parking area would be positioned adjacent to the southern site boundary and accessed from Cambridge Road.

Relevant Planning Policy

The planning policy to be considered as part of this proposal is scheduled in **Appendix 1** to this report. There are no site-specific policies which relate to the application site. Policy H1 (v) supports the redevelopment of previously developed land to provide additional residential accommodation and the Council's normal consideration in respect of quality of development, protection of the character of the area and the amenities of neighbouring occupiers apply as required by Policies SDP1, SDP7 & SDP9.

The development is broadly in accordance with the emerging policies in the Council's Core Strategy, although emerging requirements for affordable housing provision have not been met but at yet does not outweigh the adopted policies in the Local Plan Review.

Relevant Planning History

The history of the site is attached in **Appendix 2** to this report.

Consultation Responses & Notification Representations

A consultation exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners, placing a press advertisement and erecting a site notice. At the time of writing the report, **20** representations had been received from surrounding residents.

Summary of Representations made

Visual Impact – the proposed building would be out of keeping in terms of its scale and design

Environmental Impact - The additional traffic movements through Cambridge Road would change the character of this street in terms of noise, disturbance and pollution

Parking and Highways Issues – The proposal does not include sufficient off-road car parking spaces to serve the prospective occupants which would exacerbate existing parking pressures in the locality. The intensified use of Cambridge Road by cars, construction traffic and delivery vehicles would have a detrimental impact on highway safety.

Privacy Impact – The proposed development will give rise to overlooking of the neighbouring properties

Summary of Consultation comments

SCC Highways Officer – Suggests the relocation of the refuse store to the northern site boundary and the relocation of the cycle store closer to the building and a condition is suggested to address this.

SCC Tree Officer – No objection.

SCC Housing Officer – No objection. Five units of affordable accommodation should be provided on site. Queries if the amenity space provided is sufficient

SCC Ecologist – No objection. Suggests a condition to secure ecological mitigation measures

SCC Sustainability Officer– No objection. Suggests conditions to secure Level 3 of the Code for Sustainable Homes

SCC Environmental Health (Contamination) – No objection subject to the imposition of suggested conditions

SCC Environmental Health (Pollution and Safety) – No objection subject to suggested

conditions

Architects Panel – Consider the scale and massing of the building appropriate for the site’s context. The chosen design approach is acceptable but suggest a different approach to materials to be used in respect of the fenestration and brickwork. A condition is suggested to address this.

Southern Water – No objection or conditions suggested

BAA – No objection. Suggests an informative relating to the use of cranes

Planning Consideration Key Issues

The key issues for consideration in the determination of this planning application are:

- Principle of development
- Residential design, density and impact on the established character;
- The impact on existing residential amenity;
- The quality of residential environment for future occupants
- The impact on protected trees and the ecological value of the site
- Whether the travel demands of the development can be met.

The development proposal needs to be assessed in terms of its design, scale and massing within the street scene; its impact on neighbouring residential amenities; whether or not adequate amenity space is provided and if it is acceptable in terms of highway matters including cycle and refuse storage.

1. Principle of Development

The redevelopment of this site for residential purposes is in accordance with central government’s aims and local plan policies for the efficient use of vacant and brownfield sites. The application proposes a genuine mix of accommodation including more than the required amount of family sized units provision which will provide a greater choice of accommodation within this community, in accordance with central government planning guidance on housing development (PPS3).

2. Character and Design

The height of the proposed development responds to the scale of buildings within Westwood Road and the scale is broken into a 4 and 5 storey sections to prevent the massing of the building from appearing excessive. Having regard to other 4 and 5 storey buildings within Westwood Road, the proposed development would not appear out of character. Furthermore, the slim profile of the curved roof would also ensure that the building does not appear excessively tall. The applicants have chosen a contemporary design approach which is articulated with projecting bay windows and a mixed palette of materials.

The different scale and design approach in relation to the more traditional properties in Cambridge Road is noted, however would not be a dissimilar relationship to what exists between Glenmore Court and Alma Road and Kerrigan Court and Cambridge Road. The proposed building would be positioned to read as part of the Westwood Road street scene, leaving over 32m in separation to Cambridge Road. As such it is considered that the proposed building would not have an adverse visual impact on the character of Cambridge Road.

3. Residential Amenity

The proposed building would respect the rear building line of Glenmore Court to the west of the site and would project just 2m further to the rear than Kerrigan Court to the west of the site. The spatial separation of the building from Kerrigan Court would ensure that no adverse impact on outlook would occur as a result of the development. Any side facing windows proposed in the development are secondary and a condition is suggested to ensure that these are fixed shut and obscurely glazed to prevent loss of privacy to the neighbouring property.

The separation of the building from Cambridge Road and the positioning of the building would ensure that no adverse impact would arise in terms of overlooking or overshadowing. In terms of disturbance from the comings and goings of prospective residents, dual access points to the building are proposed which would assist in minimising disruption; however, such movements would not represent harm to residential amenity and would be anticipated within any residential location.

4. Residential Environment

The proposed development would be served by communal amenity space in excess of the suggested standards and the south-facing nature of this area provides a good quality environment for prospective residents. Private balconies and roof terraces are also proposed to serve the larger 3-bedroom units and these are sufficient size to enable sitting out. A condition is suggested to secure the re-location of the bin and cycle storage to ensure that neither is located remotely from the building.

5. Parking and Highways Issues

The level of car parking spaces proposed complies with the Council's adopted standards and current planning guidance in the form of PPG13: 'Transport', PPS1 'Delivering Sustainable Development' and PPS3 'Housing' emphasises the need to reduced car dependence. Furthermore, Local Plan policy SDP5 confirms that car parking is a key determinant in the choice of the mode of travel. The site lies within an area of Medium Accessibility (and on the boundary with High Accessibility) for public transport meaning it lies within a 400 metre radius of a bus corridor served by between 10 and 19 buses an hour. The provision of secure and convenient cycle storage would promote cycling as an alternative to the private car. The level of car parking proposed to serve the development is therefore considered to be acceptable.

Highways Development Control officers have confirmed that both vehicular access points are acceptable in highway safety terms. The number of vehicular movements which would result from the 6 proposed car parking spaces would not adversely affect highway safety.

Summary

The proposed development would make efficient use of this brownfield site whilst respecting the character of the area.

CONCLUSION

By securing the matters set out in the recommendations section of this report by the completion of a Section 106 Legal Agreement, the proposal would be acceptable. The application is therefore recommended for delegated approval to the Development Control

POLICY CONTEXT

Core Strategy - (Amended 2015)

CS3	Town, District and Local Centres, Community Hubs and Community Facilities
CS4	Housing Delivery
CS5	Housing Density
CS6	Economic Growth
CS7	Safeguarding Employment Sites
CS13	Fundamentals of Design
CS15	Affordable Housing
CS16	Housing Mix and Type
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS25	The Delivery of Infrastructure and Developer Contributions

City of Southampton Local Plan Review – (Amended 2015)

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP6	Urban Design Principles
SDP7	Urban Design Context
SDP8	Urban Form and Public Space
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP12	Landscape & Biodiversity
SDP13	Resource Conservation
HE6	Archaeological Remains
H1	Housing Supply
H2	Previously Developed Land
H7	The Residential Environment

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)

Planning Obligations (Adopted - August 2005 and amended November 2006)

Parking Standards 2011

Other Relevant Guidance

The National Planning Policy Framework 2012

The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

Planning History

Both sites

09/00847/FUL

Refused 17.12.09

Re-development of the site. Erection of a part four-storey and part five-storey building to provide 18 flats (10 x 2-bedroom, 8 x 3-bedroom) with associated parking and vehicular access from Cambridge Road following demolition of the existing buildings

Reason for refusal:

In the absence of a completed S.106 Legal Agreement the proposals fail to mitigate against their direct impact and do not, therefore, satisfy the provisions of policy IMP1 of the City of Southampton Local Plan Review Adopted Version March 2006 as supported by the Council's Supplementary Planning Guidance on Planning Obligations (August 2005 as amended) in the following ways:-

- A) Measures to satisfy the public open space requirements of the development have not been secured. As such the development is also contrary to the City of Southampton Local Plan Review Adopted Version March 2006 Policy CLT7.
- B) Measures to satisfy the play space requirements of the development have not been secured. As such the development is also contrary to the City of Southampton Local Plan Review Adopted Version March 2006 Policy CLT6.
- C) Measures to support sustainable modes of transport such as necessary improvements to public transport facilities and pavements in the vicinity of the site, the provision of sustainable travel vouchers, travel plan or a traffic regulation order to secure a residents only parking permit scheme in the vicinity of the site have not been secured contrary to the City of Southampton Local Plan Review Adopted Version March 2006 policies SDP1, SDP2 and SDP3;
- D) Measures to support strategic transportation initiatives have not been secured. As such the development is also contrary to the City of Southampton Local Plan Review Adopted Version March 2006 policies SDP1, SDP2 and SDP3;
- (E) In the absence of a Highway Condition survey the application fails to demonstrate how the development will mitigate against its impacts during the construction phase and;
- (F) The provision of affordable housing in accordance with policies H9, H10 and H11 of the Local Plan March 2006.

10/01741/FUL

Withdrawn 08.02.11

Redevelopment of the site. Erection of a part four-storey and part five-storey building to provide 18 flats (10 x 2 bedroom and 8 x 3 bedroom) with associated parking and vehicular access from Cambridge Road following demolition of the existing buildings (Resubmission of application reference 09/00847/FUL).

90 Cambridge Road

1069/B

Permitted 30.08.55

Erection of detached house

1129/32

Permitted 15.04.58

Two maisonettes

14 Westwood Road

1070/27R2

Permitted 21.02.56

Convert into three flats

1410/20

Conditionally Approved 23.02.71

Convert part of ground floor into an additional flat. Total 4 flats

1606/M29 Conditionally Approved 12.01.82
Use as guest house

961085/W Conditionally Approved 06.11.96
Change of use from hotel to private dwelling

10/01013/FUL Conditionally Approved 26.11.10
Retrospective application for change of use from a single dwelling house (Use Class C3) to a 9-bed House in Multiple Occupation (Sui Generis) and a 5-bedroom House in Multiple Occupation (Use Class C4).

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15/01711/FUL

Agenda Item 5

Appendix 1



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Agenda Item 6

**Planning, Transport & Sustainability Division
Planning and Rights of Way Panel 17th November 2015
Planning Application Report of the Planning and Development Manager**

Application address: King George PH, Oakley Road, Southampton, SO16 4LJ.			
Proposed development: Redevelopment Of The Site. Erection Of 6X 3-Bed Houses With Associated Parking And Cycle/Refuse Storage (Outline Application Seeking Approval For Access, Appearance, Layout And Scale)			
Application number	15/01551/OUT	Application type	OUT
Case officer	Laura Grimason	Public speaking time	5 minutes
Last date for determination:	27/10/2015	Ward	Millbrook
Reason for Panel Referral:	Request by Ward Member and five or more letters of objection have been received	Ward Councillors	Cllr Galton Cllr Denness Cllr Furnell
Called in by:	Cllr Galton	Reason:	Highways safety. Poor design. Out of character with the surrounding area.

Applicant: Witchampton Developments Ltd	Agent: Tony Oldfield Architects
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Recommendation Summary	Refuse
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Community Infrastructure Levy Liable	Yes
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Appendix attached			
1	Development Plan Policies		

Recommendation in Full

Refuse.

1. REFUSAL REASON - Loss of community facility

The redevelopment proposal would result in the loss of the existing King George Public House. No evidence has been submitted to demonstrate that the pub is no longer viable and that it would not be viable as a community building for alternative community use. Furthermore, no evidence has been provided to demonstrate that the other community facilities which are available in the surrounding are adequate to meet existing need. This proposal is therefore, contrary to paragraph 70 of the National Planning Policy Framework (March 2012) and policy CS3 of the adopted City of Southampton Local Development Framework Core Strategy Partial Review (March 2015).

2. REASON FOR REFUSAL: Inappropriate Design

The proposed design would fail to establish a high quality, context sensitive development in this location. Specifically, this would be by reason of:

- (a) The design of the proposed roof terraces to the front elevation which would become the dominant feature of the development contrary to the prevailing character of the surrounding area.
- (b) The failure to incorporate any architectural features which are characteristic of the local area in the proposed design resulting in a bland appearance that would fail to relate appropriately with the character of the surrounding area.
- (c) An excessive amount of site coverage by buildings and hard standing resulting in an overdevelopment which does not respond to existing spatial characteristics including building to plot ratios resulting in a cramped form of development.

The proposed development would have a poor quality design which would be out of keeping with the character of the surrounding area. As such the development would be contrary to Policies SDP7 (ii) (iv), SDP8 (i) and (v), SDP9 (i) and (iv) of the adopted City of Southampton Local Plan Review (March 2015); policy CS13 of the adopted Local Development Framework Core Strategy Development Plan Document (Revised 2015); and paragraphs 3.7.8, 3.9.1, 3.9.2, 3.9.5, 3.9.6, 3.10.2, 3.10.4, 3.10.6, 3.10.7, 3.10.12, 3.10.13, 3.10.14, 3.10.16 and 3.10.17 of the adopted Residential Design Guide SPD (September 2006).

3. REFUSAL REASON - Lack of Section 106 agreement

In the absence of a Section 106 agreement the development fails to mitigate its impact in the following areas:

- (a) Contributions towards site specific transport improvements in the vicinity of the site in line with Policy SDP4 of the adopted Amended Local Plan Review (2015); Policies CS18 and CS25 of the adopted amended Local Development Framework Core Strategy Development Plan Document (2015); and the adopted Developer Contributions Supplementary Planning Document (April 2013).
- (b) 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.
- (c) Provision of affordable housing in line with Policy CS25 of the adopted amended Local Development Framework Core Strategy Development Plan Document (2015) and the Developer Contributions Supplementary Planning Document (April 2013).

- (d) A scheme of mitigation or financial contribution towards the Solent Disturbance Mitigation Project (SDMP) in accordance with The Conservation of Habitats and Species Regulations 2010 (as amended) and policy CS22 of the adopted amended Local Development Framework Core Strategy Development Plan Document (2015).

1.0 The site and its context

- 1.1 This application relates to the King George public house which occupies a prominent plot of land at the junction of Oakley Road and King George Avenue. There is one residential dwelling located above and associated with the ground floor use in addition to a single storey garage to the side of the property fronting Oakley Road. The site area for this plot is approximately 900 sq m.
- 1.2 At present, there is vehicular parking for 10 cars immediately to the front of the property within a large front forecourt. A large dropped kerb spanning from Oakley Road to King George Avenue provides access to these spaces.
- 1.3 Site levels slope upwards in an easterly direction from the road frontage. As a result, properties to the rear along Prince of Wales Avenue are set at a higher level than the application site.
- 1.4 The site is located within a predominantly residential area characterised by pairs of two storey, semi-detached dwellings. There are however, a number of commercial uses immediately adjacent to the site along Oakley Road.

2.0 Proposal

- 2.1 Permission is sought for the redevelopment of the site by the demolition of the existing building and the construction of 6 x 3 bed houses with associated parking and cycle/refuse storage. This is an outline application seeking approval for Access, Appearance, Layout and Scale. Landscaping is reserved for a later date.
- 2.2 The proposed units would be arranged in two terraces and would each have a footprint of approximately 104 sq m. Each unit would be three storeys in height and would have a recessed roof terrace fronting Oakley Road. Front doors for each unit would be accessed via a recessed porch which would also provide space for bin storage for each unit.
- 2.3 Each unit would have a private rear garden. Garden sizes for the proposed units range from 38.4 sq m to 54.5 sq m.
- 2.4 Seven car parking spaces would be provided to the front of the proposed dwellings. These would be laid out at a 90 degree angle to the front elevation of the proposed units. Two temporary bin storage areas would also be provided within the front forecourt. A new 0.6m high boundary wall would be constructed along the front boundary of the site.

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 (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.

4.0 Relevant Planning History

- 4.1 No relevant planning history.

5.0 Consultation Responses and Notification Representations

- 5.1 Following the receipt of the planning application a publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners and erecting a site notice 14/08/2015. At the time of writing the report 7 representations (including 1 from a Ward Councillor) have been received from surrounding residents. The following is a summary of the points raised:

- 5.1.1 The proposed development would increase parking in an area which is already subject to significant parking stress.

Response: According to the Parking Standards SPD, a maximum parking requirement of 12 spaces would be required for this development. 7 spaces have been proposed and a car parking survey has been submitted to examine the availability of on road parking in the surrounding area. This parking survey doesn't specifically follow the Lambeth model however it does give a clear insight into the parking availability within the surrounding area and demonstrates capacity for any overspill. The application site is located approximately 726m from Shirley Town Centre and approximately 275m from the large Tesco superstore located to the north of Oakley Road and to the west of Teboura Way. As such, it is considered that the site benefits from good access to local services and public transport facilities. Census data obtained from the Office for National Statistics (ONS) suggests that within the postcode area:

- 5.1.2 The proposed scheme would be detrimental to highways safety. The proposed landscaping would reduce visibility for vehicles moving out of the site onto King George Avenue and Oakley Road. It would result in an increase in the number of collisions in this location.

Response: The City Council's Highways department have raised no objection in terms of highways safety. There is an existing continuous dropped kerb around the perimeter of the site along both King Georges Avenue and Oakley Road. As a result, at the current time, vehicles are able to drive or reverse onto the highway at any time to utilise the existing parking spaces on the front forecourt. This is considered to be a poor arrangement. The proposed scheme would improve this arrangement by providing turning room on site and establishing formal access and egress points for use by future occupiers.

- 5.1.3 The proposed dwellings would overlook the rear garden of the property located to the rear at no.103 Prince of Wales Avenue.

Response: Paragraph 2.2.4 of the Residential Design Guide outlines minimum distances which should be retained between 2 / 3 storey housing and other 3 storey housing as is the case with this development. In this instance, a minimum distance of 21m should be retained. Where there are differences in site levels, this separation distance should be increased by 2m for every 1m rise in ground level. The submitted information indicates that site levels increase by approximately 3.2m from the north western boundary along King George Avenue to the south eastern boundary of the site. As such, the minimum separation distance increases to 27m. No.103 Prince of Wales Avenue is located approximately 38m away from the rear boundary of the application site. This separation distance greatly exceeds the minimum separation distance and is acceptable. Further discussion on the impact of the scheme on the residential amenities of other neighbours is discussed later in the report.

- 5.1.4 The proposed design is at odds with the character of the surrounding area.

Response: Agree. This constitutes a reason for the recommendation to refuse the application.

- 5.1.5 The proposed scheme would overdevelop the site.

Response: The proposed density level at 67 dph is considered to be acceptable in this location in accordance with Core Strategy policy CS5. It is however, considered that the site coverage is excessive for this site.

5.2 Consultation Responses

5.2.1 SCC Highways – No Objection.

The principle of the redevelopment of this site in the manner shown is acceptable. The existing public house has a continuous dropped kerb around the site perimeter resulting in vehicles being able to drive/reverse onto or off of the forecourt in an uncontrolled manner. The development offer 2 parking courts to serve the 6 dwellings, both providing the opportunity to turn on site, so that vehicles can enter and leave the site in a forward gear over defined access points. I have viewed the parking survey, although it doesn't specifically follow the Lambeth model, it does give a clear insight into the levels of parking during weekday daytime and at night, albeit the survey was conducted during the school holidays.

Conditions should be imposed requiring details as follows:

1. Sight lines at this location require careful consideration at this junction, and sight lines will need to be shown on detailed plans indicating forward visibility sight lines for users of the two new accesses, but also users of the adjacent junction.

2. Details of materials to be used on the driveways and the method of prevention of surface water from running out from the site onto the highway will be required. Alterations to the kerb alignment will be required and will require licencing from

BB to do this.

3. Details of the cycle and bin storage will need to be agreed, and the location of the collection point for the bins on collection day. Glass recycling must be catered for.

5.2.2 SCC Heritage – No objection.

Any archaeological remains are likely to have been removed by the significant level reduction associated with the former use as a Public House.

No archaeological conditions will be required.

5.2.3 SCC Sustainability Team – No Objection.

A 4x array of 250w Solar Panels will be provided on the south facing roof pitch of each property to contribute too and reduce the developments energy use, thus enabling the scheme to incorporate green sustainable technologies. These have been shown on the plans. A sustainable drainage system shall be utilised within the proposed scheme to control surface water run-off and reduce the effects of localised flooding through the use of permeable block paving and a soakaway systems to collect larger volumes of water runoff. If the case officer is minded to approve the application, the following conditions are recommended in order to ensure compliance with policy CS20

5.2.4 SCC CIL Officer

The development will become CIL liable at reserved matters stage. The charge will be levied at £70 per sq m on the Gross Internal Area of the new development. If any existing floorspace is to be used as deductible floorspace the applicant will need to demonstrate that lawful use of the building has occurred for a continuous period of at least 6 months within the period of 3 years ending on the day that planning permission first permits the chargeable development.

5.2.5 SCC Environmental Health (Pollution & Safety) – No objection.

No objection subject to conditions relating to bonfires, hours of work for demolition and clearance, dust suppression for demolition and the provision of a construction environment management plan.

5.2.6 SCC Environmental Health (Contaminated Land) – No objection.

This department considers the proposed land use as being sensitive to the effects of land contamination. There is the potential for these off-site hazards to migrate from source and present a risk to the proposed end use, workers involved in construction and the wider environment. Therefore, to ensure compliance with Para 121 of the National Planning Policy Framework - March 2012 and policies SDP1 and SDP22 of the City of Southampton Local Plan Review (adopted version, March 2006) this department would recommend that the site be assessed for land contamination risks and, where appropriate, remediated to ensure the long term safety of the site.

5.2.7 SCC Ecology – No objection.

The application site consists of two buildings, hardstanding, bare ground and a small area of overgrown lawn. The buildings are in good condition and an ecological survey accompanying the planning application confirms that there is negligible potential for bat roosts. The garden area at the rear doesn't contain any significant vegetation and as a consequence there are unlikely to be any impacts on nesting birds, foraging bats or other local wildlife. The ecology report includes recommendations for simple biodiversity enhancements which I would like to see implemented.

5.2.8 **Southern Water – No objection.**

No objection but informatives requested if approval is recommended.

6.0 Planning Consideration Key Issues

6.1 Introduction

6.1.1 The key issues for consideration in the determination of this planning application are:

- (a) The principle of development;
- (b) The quality of residential environment for future occupiers;
- (c) Design;
- (d) Effect on residential amenity;
- (e) Highways safety, car and cycle parking and;
- (f) Planning obligations and mitigation.

6.2 Principle of Development

6.2.1 Core Strategy Policy CS4 (Housing Delivery) suggests that: 'An additional 16,000 homes will be provided within the City of Southampton between 2006 and 2026. This proposal would make good use of previously developed land within a predominantly residential area to provide 5 much needed additional homes and is, therefore, considered to be acceptable in principle subject to other considerations relating to the loss of a community facility.

6.2.2 Core Strategy Policy CS5 (Housing Density) outlines density levels for new residential development which will be acceptable in different parts of the city. This property is located within an area of moderate accessibility (Band 3) to Public Transport where densities of between 50 and 100 dph would be considered. As such, the proposed density of 67 dph is considered to be appropriate and in line with Core Strategy policy CS5.

6.2.3 Paragraph 70 of the National Planning Policy Framework confirms that: 'To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: Guard against the unnecessary loss of valued facilities and services particularly where this would reduce the community's ability to meet its day to day needs'.

6.2.4 Core Strategy Policy CS3 states that: 'Proposals that result in the loss of a community facility throughout the city will not be supported if it is viable for the commercial, public or community sector to operate it and if there is no similar or replacement facility in the same neighbourhood'. Public houses are classed as community uses by the NPPF and so policy CS3 applies for this scheme. No justification showing the following has been submitted:

- (a) Marketing information to show that the property was marketed for continued use as a public house for a substantial period of time.
- (b) Information on any expressions of interest during the marketing of this property
- (c) Information to show where alternative community facilities are located in the surrounding area.

In the absence of this information, the applicant has failed to address policy CS3 and the requirements of the NPPF and it is considered that this scheme would result in the loss of a community facility. This scheme is therefore, contrary to policy until this information is provided.

6.3 Quality of Residential Environment

6.3.1 The proposed units would be of an adequate size to provide a high quality standard of residential accommodation for future occupiers. Habitable room windows (serving bedrooms, living and dining areas) within all of the proposed units would benefit from sufficient access to light and outlook and all units would benefit from good levels of privacy.

6.3.2 The Residential Design Guide outlines minimum standards for amenity areas within the city. For terraced properties, a minimum of 50 sq m of amenity space should be provided for use by future occupiers. Gardens for the proposed units range in size from 39 sq m to 54 sq m. In addition to this, each unit has a roof terrace of approximately 17 sq m. As a result, each unit would have access to private amenity space of more than 50 sq m. The amenity areas provided would be private and usable and this proposal would therefore, be compliant with the requirements of the Residential Design Guide SPD.

6.4 Design

6.4.1 The application site occupies a prominent location at the junction of King Georges Avenue and Oakley Road. Both King George Avenue and Oakley Road are characterised by pairs of two storey, characterful 1930s semi-detached dwellings. Properties in the surrounding area have distinguishing features including; two storey projecting bay windows, decorative gables and porch canopies. They are predominantly of brick construction with hipped side roofslopes. A number of properties have front gardens whilst some have front driveways providing off road parking for residents.

6.4.2 Paragraph 3.7.8 of the Residential Design Guide suggests that: 'The proposed development should be similar in scale, massing, position on the plot, vertical and horizontal rhythm and a high quality of architectural detailing that is harmonious with existing adjacent development'. The proposed development fails to adopt any of the distinguishing features which characterise the surrounding area. The front elevations have a bland appearance and do not incorporate any of the features

which characterise the surrounding area. Furthermore, there are no defined front entrances given the incorporation of recessed porches at ground floor level which obscure the front entrance doors from the streetscene. It is considered that the design of the scheme could be vastly improved through the addition of features characteristic of the local area.

- 6.4.3 Paragraph 3.10.2 of the Residential Design Guide explains that: 'New development should respond to the character and context of its site and establish a high quality 21st century contemporary architecture that makes appropriate reference to the local vernacular architecture'. Recessed roof terraces have been provided within the front roofslope of each dwelling to provide additional private amenity space for occupiers of the development. These features are considered to be at odds with the prevailing character of the surrounding area where front roofslopes tend to be hipped and where there are no similar roof terraces present. Due to their siting within the front roofslope of each property, these would become the most prominent features of the development. They would dominate this prominent plot and would subsequently, be considered out of keeping with the character of the surrounding area.
- 6.4.4 Pairs of semi-detached dwellings along both King Georges Avenue and Oakley Road tend to have gaps of approximately 3.5m between them providing sufficient room to provide side accesses leading to the rear of the property. This development, due to the number of units proposed, would fail to retain a similar separation distance between the proposed terraced blocks resulting in a cramped appearance in relation to the surrounding area.
- 6.4.5 Paragraph 3.9.2 of the Residential Design Guide states that: 'In all cases outside the city centre, the footprint of buildings and hard surfaced areas should not exceed 50% of the site'. The site area is approximately 900 sq m and approximately 677 sq m of that would be covered by buildings and hardstanding. As such, more than 50% of the site would be covered by building and hardstanding. This is considered to be symptomatic of overdevelopment.
- 6.4.6 The design of this scheme is therefore unacceptable and contrary to policy.

6.5 Residential Amenity

- 6.5.1 Site levels increase in an easterly direction from Oakley Road and as a result, the residential properties to the rear along Prince of Wales Avenue are located at a higher level than the application site. Paragraph 2.2.4 of the Residential Design Guide outlines minimum distances which should be retained between 2 / 3 storey housing and other 3 storey housing as is the case with this development. In this instance, a minimum distance of 21m should be retained. Where there are differences in site levels, this separation distance should be increased by 2m for every 1m rise in ground level. The submitted information indicates that site levels increase by approximately 3.2m from the north western boundary along King George Avenue to the south eastern boundary of the site. As such, the minimum separation distance increases to 27m.
- 6.5.2 Separation distances ranging from 23m to 29m would be retained between habitable room windows within the rear of the proposed units and those within the rear of the units located at 111 – 117 Prince of Wales Avenue. It is the northern and the central unit within the northern terrace which would fail to meet the

minimum separation distance of 27m. The Residential Design Guide advises that the City Council can apply these standards flexibly depending on the context of the surrounding area. Given that it is the properties to the rear that are located at a higher level than the application site, it is not considered that this would give rise to a loss of amenity for these neighbouring residential properties. Specifically, it is not considered that any overlooking, loss of light or overbearing impact would occur. The separation distances that have been proposed are therefore, considered to be acceptable.

- 6.5.3 The nearest residential dwelling to the application site along King Georges Avenue is located at no.214. It is the side elevation of this property which faces the application site. At first floor level, there is an obscure glazed window within the side elevation of this property whilst the windows at ground floor level are obscured by the existing boundary fence and do not therefore, benefit from a good outlook or access to light. These windows appear to be secondary to primary windows within the rear elevation looking out into the rear garden and with an easterly orientation. As the proposed terrace of dwellings would only exceed the depth of this neighbouring property by approximately 1.5m, it is not considered that the proposal would have an overbearing impact on the residential amenities of its occupiers.
- 6.5.4 The nearest residential dwelling to the application site along Oakley Road is the first floor flat above the ground floor commercial use at no.94. There is one obscure glazed window within the side elevation of this property. As this is obscure glazed, it does not benefit from good outlook or access to light at the current time. Having regard to this and the retention of a separation distance of approximately 3m, no further loss of light or outlook is considered likely to occur as a result of this proposal.
- 6.5.5 This scheme is therefore, considered to respect existing amenity in terms of privacy, overlooking, overshadowing and outlook.

6.6 Highways Safety, Car and Cycle Parking

- 6.6.1 The City Council's Highways team have raised no objection in terms of highways safety. There is an existing continuous dropped kerb around the perimeter of the site along both King Georges Avenue and Oakley Road. As a result, at the current time, vehicles are able to drive or reverse onto the highway at any time to utilise the existing parking spaces on the front forecourt. This is considered to be a poor arrangement. The level of trips associated with a public house is also greater than those associated with the proposed residential use. The proposed scheme would improve this arrangement by providing turning room on site and establishing formal access and egress points for use by future occupiers. If a recommendation for conditional approval was made, a condition securing sightlines would be imposed.
- 6.6.2 According to the Parking Standards SPD, a maximum parking requirement of 12 spaces would be required for this development. 7 spaces have been proposed and a car parking survey has been submitted to examine the availability of on road parking in the surrounding area. This survey was undertaken at 01:00 on the 30th July 2015 and indicates the following:

- (a) A total number of 227 on road parking spaces were identified in the study

area.

(b) 74 spaces were available at the time of the survey.

6.6.3 According to the Parking Standards SPD, a total of 6 parking spaces is acceptable. The submitted documents indicate that 12 cycle parking spaces would be provided within a secure cycle store in the rear garden of each unit. This would provide the required amount of cycle parking. A condition could be imposed to secure further details of this in order to ensure that the cycle parking provided is in accordance with the standards in the Parking Standards SPD.

6.6.4 With regards to refuse storage, the submitted plans indicate that space for 2 bins would be provided within a bin storage area in the recessed front porch for each dwelling. The Highways team have noted that space for glass storage would also be required and this could be addressed through a planning condition. Further details of refuse storage facilities would be secured by planning condition is a recommendation for conditional approval was made.

6.6.5 It is noted that the Ward Councillor and local residents see highways safety to be an issue with the scheme. It is not recommended that this issue forms a separate reason for refusal for the reasons given above and the lack of support for doing so from SCC Highways

6.7 Planning Obligations

6.1 The scale of this development triggered a number of requirements to be secured through a S106 agreement in order to mitigate the impact of the scheme. These are as follows:

- (a) Site specific transport works.
- (b) Solent Disturbance Mitigation Project.
- (c) Highways condition survey.
- (d) Affordable housing.

Given the recommendation is to refuse, these planning obligations have not been secured and this will constitute an additional reason for refusal.

7.0 Summary

7.1 In light of the issues discussed in this report, this proposal has failed to address issues relating to: (a) The loss of a community facility and (b) design. Furthermore, it has not been possible to secure planning obligations through the completion of a section 106 agreement. The proposed development would therefore, be inappropriate in relation to the character of the surrounding area and is recommended for refusal.

7.2 Having reviewed the scheme, the City Council's Highways department have not objected on the grounds of highways safety. As such, the scheme is considered to constitute an improvement on the existing access and parking arrangement.

8.0 Conclusion

8.1 The application is recommended for refusal on the grounds of the loss of a community facility, inappropriate design and lack of a S106 agreement.

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(g), 4(vv), 7(a), 9(a) and 9(b).

LAUGRI for 17/11/15 PROW Panel

POLICY CONTEXT

Core Strategy - (as amended 2015)

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS4	Housing Delivery
CS5	Housing Density
CS13	Fundamentals of Design
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

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

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP6	Urban Design Principles
SDP7	Urban Design Context
SDP8	Urban Form and Public Space
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP12	Landscape & Biodiversity
H1	Housing Supply
H7	The Residential Environment

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)

Parking Standards SPD (September 2011)

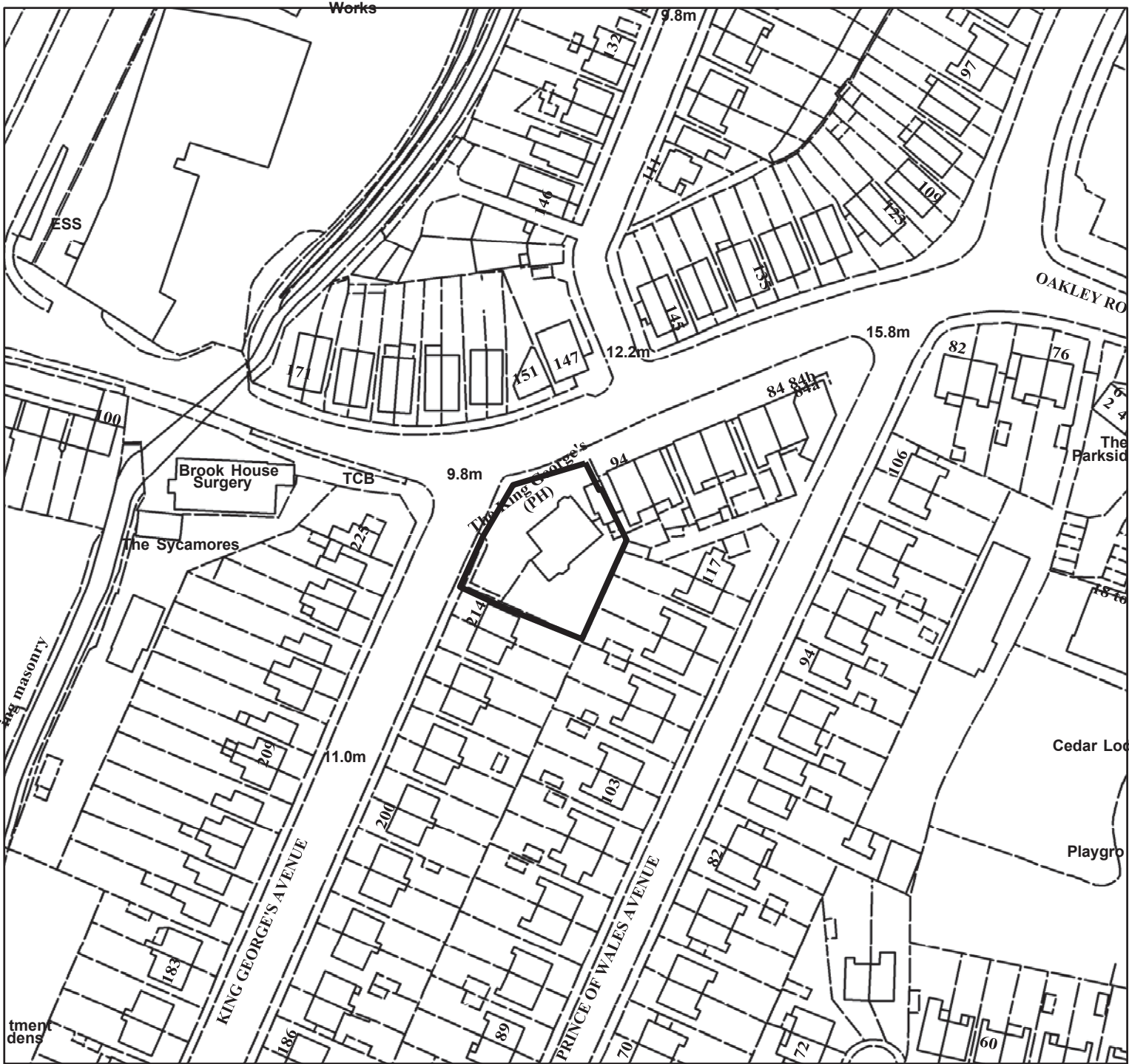
Other Relevant Guidance

The National Planning Policy Framework (2012)

The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

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Agenda Item 6 15/01551/OUT Appendix 1



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Agenda Item 7

**Planning, Transport & Sustainability Division
Planning and Rights of Way Panel 17th November 2015 (WEST)
Planning Application Report of the Planning and Development Manager**

Application address: 47 - 49 Archers Road, Southampton			
Proposed development: Redevelopment of the site. Demolition of the existing buildings and erection of a three storey building to provide 10 flats (3 x one bedroom, 5 x two bedroom, 2 x three-bedroom) with associated car parking, refuse storage and landscaping.			
Application number	15/01622/FUL	Application type	FUL
Case officer	Anna Lee	Public speaking time	15 minutes
Last date for determination:	19/11/2015	Ward	Freemantle
Reason for Panel Referral:	Major planning application subject to objection, and Panel referral by Ward Member	Ward Councillors	Cllr Moulton Cllr Shields Cllr Parnell
Referred by:	Cllr Moulton	Reason:	Impact on traffic and congestion

Applicant: Golden Angel Ltd	Agent: Graham Ash Architects
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Recommendation Summary	Delegate to Planning and Development Manager 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 as detailed in the report to the Planning & Rights of Way Panel on 17th November 2015 have been considered including the previous reasons for refusal. The impacts of the scheme on the character of Archers Road 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 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). Accordingly the proposal complies with policies CS4, CS6, CS13, CS14, CS15, CS16, CS19, CS20, CS25 of the Core Strategy (2015) saved policies SDP1, SDP4, SDP5, SDP6, SDP7, SDP8, SDP9, SDP10, SDP11, SDP12, SDP13, SDP14, SDP15, SDP16, CLT1, H1, H2, H6, H7 and TI2 of the adopted City of Southampton Local Plan Review (Amended 2015),

Supplementary Planning Document 'Residential Design Guide' (2006), 'Developer Contributions' (2013) and 'Parking Standards' (2011) and the National Planning Policy Framework (2012).

Appendix attached			
1	Development Plan Policies	2.	Planning history

Recommendation in Full

1. Delegate to the Planning and Development Manager to grant planning permission subject to the completion of a S.106 Legal Agreement to secure:
 - i. Financial contributions towards site specific transport contributions for highway improvements in the vicinity of the site, including a new Traffic Regulation Order to limit deliveries taking place from the site's frontage, 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. Provision of affordable housing in accordance with Policies CS15, CS16 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013).
 - iv. 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.
 - v. The submission, approval and implementation of a Carbon Management Plan setting out how the carbon neutrality will be achieved and/or how remaining carbon emissions from the development will be mitigated in accordance with policy CS20 of the Core Strategy and the Planning Obligations SPD (September 2013).
 - vi. Financial contributions towards Solent Disturbance Mitigation in accordance with policy CS22 (as amended 2015) of the Core Strategy and the Conservation of Habitats and Species Regulations 2010.

In the event that the legal agreement is not completed within three months of the decision of the Planning and Rights of Way Panel, the Planning and Development Manager be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.

2. That the Planning and Development Manager 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 scheme's viability is tested prior to planning permission being issued and, following an independent assessment of the figures, it is no longer viable to provide the full package of measures set out above then a report will be bought back to the Planning and Rights of Way Panel for further consideration of the planning application.

1.0 The site and its context

- 1.1 The site currently comprises a pair of two-storey detached dwellings adjacent to the Winston public house, which lies on the corner of Hill Lane and Archers Road. The

properties have open frontages for parking and are set back within the site. To the rear there are two large attractive mature gardens. On this part of Archers Road there is a mix of houses and flats with no uniform design or height. There are two large flatted blocks opposite the site including one on the corner with Hill Lane. Archers Road is characterised by large detached buildings with good boundary screening from the street, including mature trees. The site is not within a conservation area.

2.0 Proposal

- 2.1 Amended plans have been received following the original submission. The proposal seeks to demolish the two dwellings on site and redevelop the site to provide a part three and part two storey building (with accommodation in the roof). The two storey element is adjacent to the existing property at 45 Archers Road. The building is 'T' shaped and part of the rear elevation is reduced in height to single storey to reduce the impact on the neighbours. The elevational treatment is part brick and part render and the building is divided into two elements. The three storey element has two gable features, one with balconies and the other with a vertical feature windows on the other. The main entrance is central within the building under the large vertical window. The two storey element's roof is pitched and this part is solely constructed with brick. The roof has dormer windows serving the third floor and balconies are a feature on the first and second floor.
- 2.2 The proposal seeks to provide 10 flats (3 one-bed units, 5 two-bed units and 2 three-bed units). To the frontage is a parking area for 7 spaces with refuse storage. A holly hedge is proposed along the front boundary with the inclusion of Silver Birch and Quercus Fastigiata (Oak) trees. To the rear is a large landscaped garden area of 325sq.m which equates to approximately 40sq.m per flat as only eight flats would need to utilise the space as the ground floor (rear) three bed units have private amenity space (approximately 35sq.m each) directly accessed via the rear of their units. A further area of two roof terraces of approximately 13sq.m each is provided at first floor to serve the rear two units. In addition, cycle store is provided at the end of each of the two paths that run down the side of the building. The majority of existing trees can be retained within the revised garden area.

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 (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 Major developments are expected to meet high sustainable construction standards in accordance with Core Strategy Policy CS20 and Local Plan "saved" Policy SDP13.
- 3.3 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.

4.0 Relevant Planning History

4.1 A previous application for a very similar development (application number 15/00272/FUL) with the same description, number and mix of units was refused under delegated powers on 19.05.2015 for four reasons (the full reasons for refusal can be found in **Appendix 2** of this report). The four reasons are summarised as follows;

- Overdevelopment/design/impact on character
- Impact on residential amenity
- Parking and turning
- Section 106 legal agreement – failure to mitigate against direct impacts

4.2 For the revised application to be considered acceptable the Planning Panel would need to agree that the revised scheme has addressed these previous reasons for refusal. A comparison summary will form part of the officer's presentation to the Panel meeting.

5.0 Consultation Responses and Notification Representations

5.1 Following the receipt of the planning application a publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners, placing a press advertisement (28.08.2015) and erecting a site notice (28.08.2015). At the time of writing the report **2 representations** have been received; one from the City of Southampton Society and one from Ward Councillor Moulton. The following is a summary of the points raised:

5.2 Increases the level of congestion along Archers Road and harms road safety

Response

All residential development has an impact on the highway network and a highway safety improvement package is being sought as part of the S106 legal agreement to help mitigate against any potential highway safety issues. A sufficient access width has been provided to allow two cars to pass as they enter and leave the site to prevent waiting on the road. No objection has been raised by Highway Officers on these grounds and the current layout has addressed the previous concerns regarding vehicles being able to enter and exit the site in a forward gear. This application has addressed the previous reason for refusal relating to highway safety.

5.3 The proposal is poorly designed and results in over development

Response

This was previously cited as a reason for refusal on an earlier scheme, but has in the opinion of officers now been overcome. The proposed design is well detailed with an appropriate scale for the context. Its footprint has been altered. The site lies in an area that does not have uniform character and the design of the scheme has been amended to respect the character of the area by providing a pitched roof and reducing in height to the neighbouring two-storey house adjacent. The density of the scheme is much lower than the maximum set out in policy CS5 where over 100 dwellings per hectare (dph) can, in principle, be approved in this area. Only 84dph are proposed. This application has addressed the previous reason for refusal relating to design.

Note: the affected neighbours have been consulted but have not objected to this planning application.

Consultation Responses

5.4 SCC Highways - No objection subject to conditions

The proposal for 10 flats and 7 parking spaces is acceptable, as the site is well located for access to the city centre and public transport. However, the bin store is too remote for collection, it should be located closer to the front boundary to ensure refuse collectors do not need to move bins more than 10m. In addition, glass storage needs to be provided and the bins required should be 2 x 1100ltr euro bins and one 240ltr wheelie bin for glass. A condition requesting further storage details is required. The front boundary wall is shown to be 0.6m in height and a condition restricting the height to nothing higher than 0.6m to ensure emerging drivers have the opportunity to see users of the footway before leaving the site is suggested.

5.5 SCC Housing – No objection

The proposal results in a net gain of 8 new dwellings, the Council needs to seek 20% in this case 2 units (rounded up) as affordable housing in accordance with Local Plan Policy CS15.

5.6 SCC Sustainability Team – No objection

Subject to the imposition of conditions securing energy and water restriction.

5.7 SCC Archaeology - No objection subject to conditions

Number 49 Archers Road is the remaining element of a pair of semi-detached properties built between 1896 and 1909. Number 47 was built some-time after 1951, and it is assumed that the original building in this location was destroyed during WWII. None of the original doors or windows to the older property survive, and neither does the front boundary wall, which has been demolished to make way for car parking.

There would be no objection to the demolition of this property provided that the replacement building was of sufficient quality and added character to the street scene. The site lies within the Bannister's Park Local Area of Archaeological Potential. Archaeological excavation and watching briefs in the area have uncovered evidence of past occupation, ranging in date from the early prehistoric through to the Roman and Medieval periods. There is sufficient evidence from nearby developments to indicate that there is the potential for archaeological deposits to be destroyed by the development

If this application is approved conditions relating to providing a watching brief and watching brief work programme should be imposed.

5.8 SCC Environmental Health (Pollution & Safety) No objection

Subject to conditions relating to hours of work, construction management plan and dust suppression.

5.9 SCC Environmental Health (Contaminated Land): No objection

No objection subject to conditions to secure a contaminated land assessment and any required remediation measures.

5.10 SCC Tree Team – No objection

The site has a number of significant trees which have the potential to contribute to the development and wider environment within the rear garden and a tree to the north of site which has a preservation order. The proposed development could have detrimental effects on the trees within the rear of the property and neighbouring

properties. However it is not possible to assess the level of protection which will be implemented due to the lack of any tree protection documentation. Furthermore no detailed landscaping plan has been submitted which will also be required. As a result it is necessary for conditions relating to providing a detailed landscaping plan and Arboricultural Method Statement, no works to any off site trees and no storage under the tree canopy to be fulfilled prior to any works starting.

5.11 **SCC Ecology – No objection**

The application site consists of two houses with hard standing at the front and gardens with lawns and trees to the rear. The two houses are in good condition with no obvious access points for bats. A Phase 1 Bat Survey submitted in support of the previous planning application confirmed that the buildings have negligible bat roosting potential.

The gardens have some value for local wildlife with the trees providing suitable foraging habitat for bats and nesting birds. The development will result in the loss of some of this habitat and therefore a landscaping scheme that includes native and ornamental species with recognised value for wildlife should be conditioned. To avoid adverse impacts on nesting birds, which receive protection under the Wildlife and Countryside Act 1981 (as amended), vegetation should be cleared outside the nesting season which runs from March to the end of August inclusive. Where this is not possible, vegetation should be checked for active nests by a suitably qualified ecologist prior to removal. Should active nests be found they must be retained in situ and protected by a buffer zone until the young have fledged.

Artificial illumination of foraging habitat can deter bat foraging activity. All external lighting should therefore be positioned to avoid direct illumination of tree canopies and designed to minimise general light spill. Subject to the above conditions being imposed. Conditions are recommended.

5.12 **Southern Water – No objection.**

Suggests an informative is attached to the permission to make the developer aware of the requirements to connect to the public sewerage system.

6.0 Planning Consideration Key Issues

6.1 The key issues for consideration in the determination of this planning application are:

- Background and comparison with previous scheme;
- Principle of development;
- Design and amenity;
- Highway Safety and Parking;
- Landscaping and tree protection;
- Development Mitigation

6.2 Background and comparison with previous scheme

The proposed scheme seeks to address the reasons for refusal cited for the similar scheme refused earlier this year. Although the number and mix of units remains the same the scheme has been reduced in its size of footprint at the rear both at ground and first floor. It is noted that the depth of the proposal is deeper than refused by about four metres but the shape of the building has altered. The rear projecting element has been reduced in width either side by 2.8m. The cedar cladding to the front elevation has been replaced with brick/render more in line with

other development within the vicinity. The bulk of the building has been substantially reduced by removing part of the first floor element. Habitable windows have been removed from the side elevation (except secondary kitchen windows and a condition is recommended to obscure glaze these) and the oriel windows serving a bedroom removes the need to gain outlook via third party land. All these changes have sought to reduce the impact on the adjoining public house site and the property at 45 Archers Road.

6.2.1 The frontage has been altered to include the insertion of a holly landscaped boundary ranging in width from 0.6m to 2m wide and the introduction of trees along the boundaries. The layout of the parking area is less cluttered and refuse storage has been hidden from the street scene. The access has been widened to prevent waiting on the road. All these changes have sought to address the previous reason for refusal.

6.3 Principle of Development

The application site is not an allocated site within the Council's Development Plan, but it is located within an area with other residential and non-residential premises. The LDF Core Strategy identifies the Council's current housing need and this scheme would assist the Council in meeting its targets. The proposal provides 8 additional housing units, and the proposed residential density of 84 dph is lower than the 100+ dwellings per hectares set out for this area in policy CS5 of the Core Strategy; partly due to the requirement to retain two family-sized dwellings and garden areas. The NPPF introduces a presumption in favour of sustainable housing development and the principle of the proposal is generally supported. The development would create additional housing stock for Southampton as well as providing a mixed housing offer. A vegetative frontage along Archers Road is proposed thereby restoring part of the road's character.

6.4 Design and Amenity

The design of the proposal has been amended since originally submitted to provide gable features on the full three storey part and a pitched roof element on the two storey. These changes are positive in terms of the overall roof design. The removal of the cedar cladding is a positive change and the choice of materials; brick, render and lead finishing would complement the other developments within the streetscene. The bulk has been reduced at first floor and has not only reduced the impact on the neighbours, but also results in private amenity areas at first floor for two units. The overall scheme has been simplified by reducing the pallet of materials, adding visual interest through improved design and by providing a 'T' shaped building that reduces the bulk on the adjoining boundaries. When assessed against the reduction of width (to allow for defensible space for the ground floor units) at the back and the introduction of landscaping boundaries to the frontage the proposal has addressed the previous reason for refusal in terms of the reduction of hardstanding. As the scale, bulk and site coverage have been reduced officers feel the proposed scheme now addresses previous concerns.

6.4.1 The level of detailing in terms of balconies and dormer windows will add to the overall appearance of the building and adds to a sense of depth. The central entrance is pushed forward to highlight its location, the proposed large vertical window adds to this focal point and empathises the verticality of the other fenestration. The design is attractive and simple but picks up features of the neighbouring properties in terms of projecting elements such as the balconies and projecting box bays on both side elevations. These appear similar to the bay

windows found in the locality. In summary, although the proposal results in the loss of two residential properties it replaces them with an attractive flatted scheme and greatly enhances the frontage by reintroducing a landscaped boundary.

6.4.2 With regard to the accommodation provided; all rooms have an outlook and adequate light and all units have access to the shared amenity space and cycle and refuse storage is provided. Sufficient amenity is provided for all residents as an area of 325 sq.m to the rear for all units to use is provided, 34sq.m private space for each three bed unit is provided and approximately 13sq.m is provided to the rear for two of the first floor units.

6.4.3 The previous scheme was refused for the impact it had on the neighbouring property at 45 Archers Road, due, in part, to the loss of outlook to the habitable rooms at first floor on the side elevation of this affected property. The scheme has since been altered by removing the first floor element and reducing the size of the living areas and kitchens previously included. The previous scheme resulted in the Residential Design Guide's 45 degree rule being breached and the revised scheme removes the element and addresses part of the second reason for refusal. The insertion of the amenity space at first floor level will be conditioned to secure a privacy screen so that no overlooking can be achieved into the neighbouring site. The number of windows proposed on the side elevation has been reduced; only a kitchen and bedroom on each level on both side elevations are proposed. A condition is suggested to obscure the kitchen windows and the bedrooms are proposed with projecting box bays so they do not have a view into the neighbouring sites. The removal of most of the windows and with the use of the suggested condition would address the latter part of the second reason for refusal. The affected neighbours have been consulted but have not objected to this planning application.

6.4.4 As such, officers support the design changes and feel the scheme now meets the Council's high design and amenity requirements as set out in the current development plan.

6.5 Highway Safety and Parking

Archers Road is a very busy road, particularly at peak times (and is defined as a Class C). High volumes of traffic use this route, and queuing traffic at peak times is normal. The revised scheme includes parking spaces that meet our current standards and that offer sufficient on-site turning therefore preventing the need to queue on the highway to enter the site if a car is exiting the site. This layout therefore reduces the impact on the highway and addressing the third reason for refusal previously cited. Due to the sites location in close proximity to the junction with Hill Lane it is important that no delivery vehicles may be inclined to stand on the highway to deliver to these properties. A Traffic Regulation Order is proposed, and if it is successful, will prevent deliveries from occurring at the roadside at any time, as enforcement would then be possible. However, this cannot be guaranteed until the order is decided, but is strongly supported by highway officers. This requirement falls within the Section 106 Legal Agreement as well as a package of highway safety measures to improve and safeguard highway safety.

6.5.1 In terms of the proposed parking layout, the scheme provides 7 parking spaces and in this location this number of parking spaces is acceptable. A parking stress survey has not been requested as Archers Road is currently enforced with double yellow lines and nearby streets are the subject of controlled parking zones. These

are located some distance from the site where residents are unlikely to choose to leave their cars. Given the sustainable location of the scheme the proposed level of parking to serve all uses is deemed to be acceptable. With respect to cycle storage there are two areas to house bikes both are located at either side of the building accessed via the side. Refuse storage has also been provided to the front adjacent to the shared boundary with the Winston Public house. These facilities are to be secured by suggested conditions. No Highways objection has been raised to the proposal on parking or highway safety grounds. A S106 legal agreement is proposed to deal with any site specific issues.

6.6 Landscaping and tree protection

The character of the area includes hedging to front boundaries. Currently this site's front area is open apart from a low brick wall and hedging adjacent to number 45 Archer Road. This site and street scene would be improved by the inclusion of a landscaping boundary to reduce the harsh appearance of the hardstanding area proposed for the parking area. The scheme has been amended to include this and will be secured via a landscaping condition. There are a number of significant shrubs and trees in the rear garden and conditions are suggested to protect these. Many of the trees to the rear are located away from where the main works are proposed, but as no information has been provided and in order to protect these trees (and the trees located on the boundary on the adjacent sites) a condition is suggested to secure further detail.

6.7 Development Mitigation

As with all major development the application needs to address and mitigate the additional pressure on the social and economic infrastructure of the city, in accordance with Development Plan policies and the Council's adopted Planning Obligations SPD (2013). Given the wide ranging impacts associated with a development of this scale, an extensive package of contributions and obligations is proposed as part of the application. The main areas of contribution for this development, in order to mitigate against its wider impact, are highway and affordable housing contributions. In terms of highway contributions, contributions towards a traffic regulation order to create a 'no deliveries at any time' restriction on the highway near the site, improvements to the pedestrian environment which will include road markings, signage, and minor re-alignment of kerbing to assist with highway safety. With respect to the affordable housing policy requirement the contribution from this site is 2 units. Southampton City Council will work with a Registered Social Landlord (RSL) to find applicable tenants/occupiers. In the event that the viability of the scheme is affected by this level of provision the whole scheme would be reassessed and reported back to the Planning and Rights of Way panel for further consideration.

6.7.1 The Conservation of Habitats and Species Regulations 2010 (as amended) provides statutory protection for designated sites, known collectively as Natura 2000, including Special Areas of Conservation (SAC) and Special Protection Areas (SPA). This legislation requires competent authorities, in this case the Local Planning Authority, to ensure that plans or projects, either on their own or in combination with other plans or projects, do not result in adverse effects on these designated sites. The Solent coastline supports a number of Natura 2000 sites including the Solent and Southampton Water SPA, designated principally for birds, and the Solent Maritime SAC, designated principally for habitats. Research undertaken across south Hampshire has indicated that current levels of recreational activity are having significant adverse effects on certain bird species

for which the sites are designated. A mitigation scheme, known as the Solent Disturbance Mitigation Project (SDMP), requiring a financial contribution of £174 per unit has been adopted. The money collected from this project will be used to fund measures designed to reduce the impacts of recreational activity. When the legal agreement is signed and actioned this application will have complied with the requirements of the SDMP and met the requirements of the Conservation of Habitats and Species Regulations 2010 (as amended).

7.0 Summary

- 7.1 Overall the revised scheme addresses the previous reasons for refusal. The redevelopment of the site for the 10 residential units proposed for this scheme will not result in an adverse impact on the amenities enjoyed by surrounding occupiers, highway safety issues or to the character and appearance of the area. Therefore the proposals are consistent with adopted local planning policies.
- 7.2 As such, the application is recommended for approval subject to securing the matters set out in the recommendations section of this report and the 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)(d), 4(f) & (qq), 6(c)

ARL for 17/11/2015 PROW Panel

PLANNING CONDITIONS

1. APPROVAL CONDITION - Full Permission Timing Condition - Physical works

The development works 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).

2. APPROVAL CONDITION - Details of building materials to be used

Notwithstanding the information shown on the approved drawings and application form no development works shall be carried out unless and until a written schedule of external materials and finishes has been submitted to and approved in writing by the Local Planning Authority. Development shall be implemented only in accordance with the agreed details. These shall include full details of the manufacturers, types and colours of the external materials to be used for external walls, windows, doors and the roof of the proposed buildings. It is the Local Planning Authority's practice to review all such materials on site. The developer should have regard to the context of the site in terms of surrounding building materials and should be able to demonstrate why such materials have been chosen and why alternatives were discounted. If necessary this should include presenting alternatives on site.

Reason:

To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality.

3. APPROVAL CONDITION - Archaeological watching brief

No development shall take place within the site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority.

Reason:

To ensure that the archaeological investigation is initiated at an appropriate point in development procedure.

4. APPROVAL CONDITION - Archaeological watching brief work programme

The developer will secure the completion of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority.

Reason:

To ensure that the archaeological investigation is completed.

5. APPROVAL CONDITION - Energy & Water [Pre-Commencement Condition]

Before the development commences, written documentary evidence demonstrating that the development will achieve at minimum 19% improvement over 2013 Dwelling Emission Rate (DER)/ Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of a design stage SAP calculations and 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.

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 (January 2010).

6. APPROVAL CONDITION- Energy & Water [performance condition]

Within 6 months of any part of the development first becoming occupied, written documentary evidence proving that the development has achieved at minimum 19% improvement over 2013 Dwelling Emission Rate (DER)/ Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of final SAP calculations and water efficiency calculator and detailed documentary evidence confirming that the water appliances/fittings have been installed as specified shall be submitted to the Local Planning Authority for its approval.

Reason:

To ensure the development has minimised its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

7. APPROVAL CONDITION - Storage / Removal of Refuse Material

Before the building is first occupied full details of facilities to be provided for the storage and removal of refuse from the premises including a refuse management plan together with the provision of suitable bins accessible with a level approach shall be submitted to and approved in writing by the Local Planning Authority. The facilities shall include accommodation and the provision of separate bins for the separation of waste to enable

recycling. The approved refuse and recycling storage shall be retained whilst the building is used for residential / commercial purposes.

Reason:

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

8. APPROVAL CONDITION - Cycle storage facilities [Pre-Commencement Condition]

Adequate cycle storage facilities to conform to the Local Planning Authorities standards shall be provided within the site before the development hereby permitted commences and such parking and storage shall be permanently maintained for that purpose.

Reason:

To prevent obstruction to traffic in neighbouring roads and to encourage cycling as an alternative form of transport.

9. APPROVAL CONDITION - Demolition Statement [Pre-Commencement Condition]

Precise details of the method and programming of the demolition of the existing property shall be submitted to and approved by in writing by the Local Planning Authority prior to the implementation of the scheme. The agreed scheme shall be carried out to the details as specified in the demolition programme unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interests of the amenity of adjacent residential properties.

10. APPROVAL CONDITION - Demolition - Dust Suppression [Pre-Commencement Condition]

Measures to provide satisfactory suppression of dust during the demolition works to be carried out on the site shall be submitted to and approved in writing by the Local Planning Authority before the development commences. The agreed suppression methodology shall then be implemented during the demolition period.

Reason:

To protect the amenities of users of the surrounding area.

11. APPROVAL CONDITION - Noise & Vibration (external noise sources)

Construction work shall not begin until an acoustic report and written scheme to protect the proposed development in terms of habitable rooms, balconies, roof terraces and gardens from external noise sources (noise includes vibration) including transportation noise, has been submitted to and approved in writing by the Local Planning Authority. All works which form part of the scheme shall be completed and be available for use before any part of the development is occupied.

Reason:

To protect the occupiers of the development from excessive external noise

12. APPROVAL CONDITION- Land Contamination investigation and remediation

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved by the Local Planning Authority. That scheme shall include all

of the following phases, unless identified as unnecessary by the preceding phase and approved in writing by the Local Planning Authority:

1. A desk top study including;
 - historical and current sources of land contamination
 - results of a walk-over survey identifying any evidence of land contamination
 - identification of the potential contaminants associated with the above
 - an initial conceptual site model of the site indicating sources, pathways and receptors
 - a qualitative assessment of the likely risks
 - any requirements for exploratory investigations.
2. A report of the findings of an exploratory site investigation, characterising the site and allowing for potential risks (as identified in phase 1) to be assessed.
3. A scheme of remediation detailing the remedial actions to be taken and how they will be implemented.

On completion of the works set out in (3) a verification report shall be submitted to the Local Planning Authority confirming the remediation actions that have been undertaken in accordance with the approved scene of remediation and setting out any measures for maintenance, further monitoring, reporting and arrangements for contingency action. The verification report shall be approved by the Local Planning Authority prior to the occupation or operational use of any stage of the development.

Any changes to these agreed elements require the express consent of the local planning authority.

Reason:

To ensure land contamination risks associated with the site are appropriately investigated and assessed with respect to human health and the wider environment and where required remediation of the site is to an appropriate standard.

13. APPROVAL CONDITION - Use of uncontaminated soils and fill

Clean, uncontaminated soil, subsoil, rock, aggregate, brick rubble, crushed concrete and ceramic shall only be permitted for infilling and landscaping on the site. Any such materials imported on to the site must be accompanied by documentation to validate their quality and be submitted to the Local Planning Authority for approval prior to the occupancy of the site.

Reason:

To ensure imported materials are suitable and do not introduce any land contamination risks onto the development.

14. APPROVAL CONDITION- Unsuspected Contamination [Performance Condition]

The site shall be monitored for evidence of unsuspected contamination throughout construction. If potential contamination is encountered that has not previously been identified no further development shall be carried out unless otherwise agreed in writing by the Local Planning Authority.

Works shall not recommence until an assessment of the risks presented by the contamination has been undertaken and the details of the findings and any remedial actions has been submitted to and approved by the Local Planning Authority.

Any changes to the agreed remediation actions will require the express written consent of the Local Planning Authority.

Reason:

To ensure any land contamination not previously identified is assessed and remediated so as not to present any significant risks to human health or, the wider environment.

15. APPROVAL CONDITION - no storage under tree canopy [Performance Condition]

No storage of goods including building materials, machinery and soil, shall take place underneath the crown spread of the trees to be retained on the site. There will be no change in soil levels or routing of services through tree protection zones or within canopy spreads, whichever is greater. There will be no fires on site. There will be no discharge of chemical substances including petrol, diesel and cement mixings within the tree protection zones or within canopy spreads, whichever is greater.

Reason:

To preserve the said trees in the interests of the visual amenities and character of the locality.

16. APPROVAL CONDITION - Arboricultural Method Statement

No operation in connection with the development hereby permitted shall commence on site until a site specific Arboricultural Method Statement in respect of the protection of the trees during all aspects of work on site is submitted and agreed in writing by the Local Planning Authority. It will be written with contractors in mind and will be adhered to throughout the duration of the demolition and development works on site. The Method Statement will include the following:

1. A specification for the location and erection of protective fencing around all vegetation to be retained
2. Specification for the installation of any additional root protection measures
3. Specification for the removal of any built structures, including hard surfacing, within protective fencing areas.
4. Specification for the construction of hard surfaces where they impinge on tree roots
5. The location of site compounds, storage areas, car parking, site offices, site access, heavy/large vehicles (including cranes and piling rigs)
6. An arboricultural management strategy, to include details of any necessary tree surgery works, the timing and phasing of all arboricultural works and protection measures.
7. Specification for soft landscaping practices within tree protection zones or the canopy of the tree, whichever is greatest.

Reason:

To ensure that provision for trees to be retained and adequately protected throughout the construction period has been made.

17. APPROVAL CONDITION - Landscaping, lighting & means of enclosure detailed plan [Pre-Commencement Condition]

Notwithstanding the submitted details before the commencement of any site works a detailed landscaping scheme and implementation timetable shall be submitted, which includes:

- i. proposed finished ground levels; car parking layouts; other vehicle pedestrian access and circulations areas, hard surfacing materials, structures and ancillary objects (refuse bins, lighting columns etc.);
- ii. a plan detailing the position and specification of external lighting.
- iii. planting plans which show native planting; 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;

- iv. details of landscape planting of value to wildlife
- v. an accurate plot of all trees to be retained and to be lost. Any trees to be lost shall be replaced on a favourable basis (a two-for one basis unless circumstances dictate otherwise and agreed in advance);
- vi. details of any proposed boundary treatment; and
- vii. a landscape management scheme.

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.

The approved hard and soft landscaping scheme (including parking) 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.

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

18. APPROVAL CONDITION - Offsite Trees [Pre-Commencement Condition]

No development, including site works of any description, shall take place on the site until a plan showing any trees located offsite but within the zone of influence of works is submitted. This will include any trees where the canopy overhangs the proposal site or roots may encroach into the site, and in particular any trees to the south of the site or located downhill or at a lower level. Any offsite trees that may be affected by the proposal must be properly protected throughout the construction and an Arboricultural Protection Plan and/or Method Statement must be submitted & approved as part of the application. If NO offsite trees are affected then a statement to this effect must be included in the application.

Reason:

To ensure no offsite trees affected by the proposal.

19. APPROVAL CONDITION - Protection of nesting birds [Performance Condition]

No clearance of vegetation likely to support nesting birds shall take place between 1 March and 31 August unless a method statement has been agreed in writing by the Local Planning Authority and works implemented in accordance with the agreed details.

Reason:

For the safeguarding of species protected by The Wildlife & Countryside Act 1981 (as amended) and the conservation of biodiversity

20. APPROVAL CONDITION - Construction Environment Management Plan (Pre-Commencement Condition)

Prior to the commencement of any development a written construction environment management plan shall be submitted to and approved by the LPA. The plan shall contain

method statements and site specific plans to prevent or minimise impacts from noise, vibration, dust and odour for all operations, as well as proposals to monitor these measures at the site boundary to ensure emissions are minimised beyond the site boundary. All specified measures shall be available and implemented during any processes for which those measures are required.

Reason:

To protect the amenities of the occupiers of existing nearby properties.

21. APPROVAL CONDITION - Hours of work for Demolition / Clearance / Construction

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 hours to 18:00 hours (8.00am to 6.00pm)

Saturdays 09:00 hours to 13:00 hours (9.00am to 1.00pm)

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.

22. APPROVAL CONDITION - Sightlines specification

Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 no fences walls or other means of enclosure including hedges shrubs or other vertical structures shall be erected above a height of 0.6m above carriageway level within the sight line splays.

Reason:

To provide safe access to the development and to prevent congestion on the highway.

23. APPROVAL CONDITION - Amenity Space Access [Pre-Occupation Condition]

The external amenity space serving the development hereby approved, and pedestrian access to it, shall be made available as a communal area prior to the first occupation of the development hereby permitted and shall be retained with access to it at all times for the use of the flat units.

Reason:

To ensure the provision of adequate amenity space in association with the approved flats.

24. APPROVAL CONDITION – Privacy screens [Pre-Occupation Condition]

The privacy screens shown on the approved plans shall be installed as detailed prior to the first occupation of the development hereby permitted, and shall be retained at all times unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure an adequate level of privacy for the proposed occupiers.

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

The windows to be inserted into the side elevations of the building hereby approved shall be obscure glazed and only have a top light opening. The windows shall at all times unless

otherwise agreed in writing by the Local Planning Authority be permanently maintained in that form.

Reason:

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

26. APPROVAL CONDITION - Wheel Cleaning Facilities [Pre-Use Condition]

During the period of the preparation of the site, excavation for foundations or services and the construction of the development, wheel cleaning facilities shall be available on the site and no lorry shall leave the site until its wheels are sufficiently clean to prevent mud being carried onto the highway.

Reason:

In the interests of highway safety.

27. 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

Note to Applicant - Public sewerage system

A formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

Note to Applicant - Pre-Commencement Conditions

Your attention is drawn to the pre-commencement conditions above which require the full terms of the condition to be satisfied before development commences. In order to discharge these conditions you are advised that a formal application for condition discharge is required. You should allow approximately 8 weeks, following validation, for a decision to be made on such an application. If the Decision Notice includes a contaminated land condition you should contact the Council's Environmental Health Department, and allow sufficient time in the process to resolve any issues prior to the commencement of development. It is important that you note that if development commences without the conditions having been formally discharged by the Council in writing, any development taking place will be unauthorised in planning terms and this may invalidate the Planning Permission issued. Furthermore this may result in the Council taking enforcement action against the unauthorised development. If you are in any doubt please contact the Council's Development Management Service.

Note to Applicant - Performance Conditions

Your attention is drawn to the performance conditions above which relate to the development approved in perpetuity. Such conditions are designed to run for the whole life of the development and are therefore not suitable to be sought for discharge. If you are in any doubt please contact the Council's Development Control Service.

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS4	Housing Delivery
CS6	Housing Density
CS13	Fundamentals of Design
CS14	Historic Environment
CS15	Affordable Housing
CS16	Housing Mix and Type
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
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
SDP6	Urban Design Principles
SDP7	Urban Design Context
SDP8	Urban Form and Public Space
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP12	Landscape & Biodiversity
SDP13	Resource Conservation
SDP14	Renewable Energy
SDP15	Air Quality
SDP16	Noise
CLT1	Location of Development
H1	Housing Supply
H2	Previously Developed Land
H6	Housing Retention
H7	The Residential Environment
TI2	Vehicular Access

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)
Planning Obligations (Adopted - September 2013)
Parking Standards SPD (September 2011)
Emerging Bassett Neighbourhood Plan (June 2015)

Other Relevant Guidance

The National Planning Policy Framework (2012)
The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

Relevant Planning History

15/00272/FUL

REFUSED 19.05.2015

Redevelopment of the site. Demolition of the existing buildings and erection of a three storey building to provide 10 flats (3 x one bedroom, 5 x two bedroom, 2 x three-bedroom) with associated car parking, refuse storage and landscaping.

1. REASON FOR REFUSAL - Overdevelopment and impact on character

The scale and mass of the building and level of site coverage (with buildings and hard surfacing) is symptomatic of a site overdevelopment and out of character with the established pattern of development within Archers Road. This is demonstrated by the level of development in terms of the number of bedrooms and subsequent level of car parking spaces provided to the site frontage. The additional erosion of the frontage with a large parking area would result in a development which would erode the dominant landscaped front boundaries which contribute towards the existing character of Archers Road and there loss will alter the spatial characteristics of the area. The impact on the character of the area is further impacted by the use of inappropriate external materials in the form of the proposed cladding, which would appear as out of place within the general streetscene of this part of Archers Road. As such the proposal is contrary to 'saved' policies SDP1, SDP7 and H7 of the Amended Local Plan Review (2015) and policy CS13 of the Amended Core Strategy (2015) as supported by sections 3.9, 3.11, 3,13 and 5.24 of the adopted Residential Design Guide SPD (September 2006).

2. REASON FOR REFUSAL - Harmful to Neighbouring Residential Amenity.

The proposed development, by reason of its siting relative to the neighbouring building at 45 Archers Road, due to its scale and bulk in close proximity with the common boundary would reduce the quality of the living environment currently enjoyed by the occupants of 45 Archers Road. In particular, the impact on their second floor bedroom window (in the west elevation) caused by the proposed development results in a loss of outlook and daylight to this habitable room. Furthermore the proposed windows of the east elevation of the development would erode the privacy of the occupiers of 45 Archers Road given the distance between the two buildings the proposed development will have an overbearing impact on these residents and will further reduce their enjoyment of their accommodation. Finally, as habitable rooms are proposed with windows along the common boundaries these windows will require outlook from third party land thereby prejudicing the future delivery of these sites. As such, the application has been assessed as contrary to the provisions of policies SDP1 and H2 of the Amended Local Plan Review (2015), policy CS13 of the adopted LDF of the Amended Core Strategy (2015) as supported by section 2.2 of the approved Residential Design Guide SPD (September 2006).

3. REFUSAL REASON - Parking Layout

The proposed layout provides insufficient car parking sizes (which are short of the minimum size standard of 2.4m x 5m - as set out within the Council's Car Parking Standards SPD (Adopted 2011)) and parallel parking, which together with the location of the refuse and cycle store results in the failure to provide on-site turning. This could lead to vehicles reversing out onto a classified road which would prejudice highway safety for all road users including pedestrians. The development proposal is therefore contrary to policy SDP1(i) of

the City of Southampton Local Plan Review (Amended 2015) and Section 2 of the Council's Car Parking Standards SPD.

4. REASON FOR REFUSAL - Lack of Section 106 agreement to secure planning obligations.

In the absence of a completed Section 106 legal agreement to support the development the application fails to mitigate against its wider direct impacts in the following areas:

a) Failing to provide site specific transport improvements in the vicinity of the site have not been secured in line with Policy SDP4 of the City of Southampton Local Plan Review (March 2006), Policies CS18 and CS25 of the adopted LDF Core Strategy (2010) and the adopted SPD relating to Planning Obligations (2013).

b) 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;

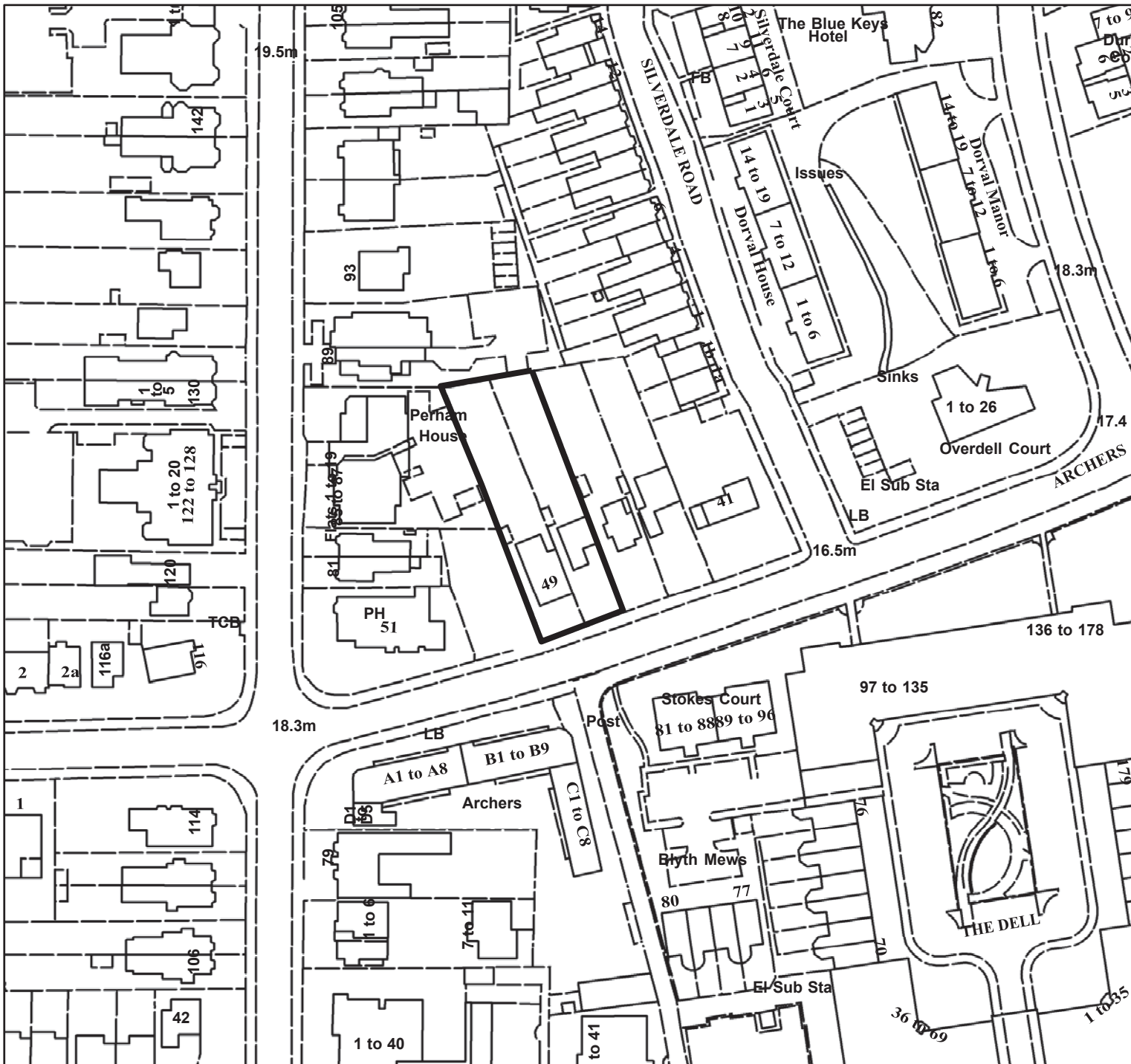
c) Scheme of measures or financial contribution towards the Solent Disturbance Mitigation Project (SDMP) in accordance with The Conservation of Habitats and Species Regulations 2010 (as amended) and LDF Policy CS22

d) Financial contribution to a Carbon Offset Fund in the interests of sustainability as required by Core Strategy Policy CS20.

This reason for refusal could be resolved when an acceptable scheme is presented to the Local Planning Authority

Note: affordable housing was not previously cited as the Government had introduced a threshold of 11 and above, which has since been successfully challenged

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