

Planning and Rights of Way Panel

Tuesday, 15th November,
2016

at 6.00 pm

PLEASE NOTE TIME OF MEETING

Conference Rooms 3 and 4 - Civic
Centre

This meeting is open to the public

Members

Councillor Denness (Chair)
Councillor Coombs (Vice-Chair)
Councillor Barnes-Andrews
Councillor Claisse
Councillor L Harris
Councillor Hecks
Councillor Mintoff

Contacts

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Planning and Development Manager
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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

Procedure / 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.

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.

By entering the meeting room you are consenting to being recorded and to the use of those images and recordings for broadcasting and or/training purposes. The meeting may be recorded by the press or members of the public.

Any person or organisation filming, recording or broadcasting any meeting of the Council is responsible for any claims or other liability resulting from them doing so.

Details of the Council's Guidance on the recording of meetings is available on the Council's website.

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

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 2016/17

2016	
7 June	13 September
21 June	4 October
12 July	25 October
2 August	15 November
23 August	6 December

2017	
10 January	
21 February	
14 March	
4 April	
25 April	

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 for 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

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 - 6)

To approve and sign as a correct record the Minutes of the meetings held on 25th October 2016 and to deal with any matters arising, attached.

CONSIDERATION OF PLANNING APPLICATIONS

5 PLANNING APPLICATION -16/00568/FUL - 305 WIMPSON LANE (Pages 11 - 34)

Report of the Service Lead, Planning, Infrastructure and Development recommending that authorisation to approve the application be delegated in respect of an application for a proposed development at the above address.

6 PLANNING APPLICATION -16/01358/OUT - 78 WARREN CRESCENT (Pages 35 - 56)

Report of the Service Lead, Planning, Infrastructure and Development recommending that authorisation to approve the application be delegated in respect of an application for a proposed development at the above address.

7 PLANNING APPLICATION -16/01590/FUL - HIGHFIELD FARM, HILLDOWN ROAD, (Pages 57 - 72)

Report of the Service Lead, Planning, Infrastructure and Development recommending that authorisation to approve the application be delegated in respect of an application for a proposed development at the above address.

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PLANNING AND RIGHTS OF WAY PANEL
MINUTES OF THE MEETING HELD ON 25 OCTOBER 2016

Present: Councillors Denness (Chair), Coombs (Vice-Chair), Barnes-Andrews, L Harris, Mintoff, B Harris and Wilkinson

Apologies: Councillors Claisse and Hecks

36. **APOLOGIES AND CHANGES IN PANEL MEMBERSHIP (IF ANY)**

It was noted that following receipt of the temporary resignation of Councillors Claisse and Hecks from the Panel, the Service Director, Legal and Governance acting under delegated powers, had appointed Councillors B Harris and Wilkinson to replace them for the purposes of this meeting.

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

RESOLVED: that the Minutes of the meetings of the Planning and Rights of Way Panel held on 13th September 2016 and 4th October 2016 be approved and signed as a correct record with the following amendment.

The recorded vote in Minute Number 28 (Planning Application – 16/00740 – 11 Lawn Road) on page 19 of the Minutes be amended to read:

“RECORDED VOTE: to refuse planning permission
AGAINST: Councillor Coombs
FOR: Councillors Barnes- Andrews, Denness, L Harris, Hecks and Mintoff”

38. **OBJECTION TO TREE PRESERVATION ORDER AT 9, GLENWOOD AVENUE, BASSETT**

The Panel considered the report of the Service Director: Adults, Housing and Communities regarding an objection to a Tree Preservation Order at 9, Glenwood Avenue, Bassett.

RECORDED VOTE: to confirm the officer recommendation
FOR Councillors Barnes-Andrews, Coombs, Denness, B Harris,
L Harris and Mintoff
AGAINST: Councillor Wilkinson

RESOLVED that the Panel confirmed the Southampton (9, Glenwood Avenue) Tree Preservation Order 2016 without further modification.

39. **OBJECTION TO TREE PRESERVATION ORDER AT 1-2 HANDEL ROAD (T2-652)**

The Panel considered the report of the Service Director: Adults, Housing and Communities regarding an objection to a Tree Preservation Order at 1-2 Handel Road (T2-652).

Ezri Tigan (objector) was present and with the consent of the Chair, addressed the meeting.

RECORDED VOTE: to confirm the officer recommendation
FOR Councillors Barnes-Andrews, Coombs, Denness, L Harris,
B Harris and Mintoff
AGAINST: Councillors Wilkinson

RESOLVED that the Panel confirmed the Southampton (1-2 Handel Road) Tree Preservation Order 2015 without modification.

40. **OBJECTION TO TREE PRESERVATION ORDER AT 10 ABERDOUR CLOSE**

The Panel noted that the objection to the Tree Preservation Order had been withdrawn and that the item did not need to be considered.

41. **BITTERNE PARK SCHOOL- APPLICATION NUMBER 16/01495/NMA**

The Panel considered the report of the Service Lead, Planning, Infrastructure and Development recommending delegated authority be granted in respect of an application for a proposed development at the above address.

Application for variation of condition of planning permission ref 15/01349/FUL relating to the hours of construction to allow extended working hours from 0800 to midnight for up to 5 days over the construction period.

Roger Woodhouse, Penny Burnett and Mr E Jackson (local residents/ objecting), Tim Upward (agent), and Councillors Fuller and White (ward councillors/objecting) were present and with the consent of the Chair, addressed the meeting.

In the course of the meeting the Panel reflected residents' concerns over when residents would receive notification of the potential to works. The developer was requested to give advance notice of the potential to work late and then an additional notice 48 hours in advance of the works actually taking place. The Panel also noted the concerns of residents over the potential to allow working up until midnight. It was proposed that the decision on this item would be deferred subject to further consultation over the number of days that late working could take place on and the proposed finishing time. It was agreed that subject to the further consultation the matter would be delegated to the Service Lead, Planning, Infrastructure and Development for approval.

RESOLVED that the Panel agreed to defer decision on the item and delegated the decision to the Service Lead – Infrastructure, Planning and Development subject to the re-consultation with local neighbourhood following a revision to the revised condition. The revised condition would alter the hours of construction sought whereby the power floating shall take place no later than 10pm over a period of no more than 7 nights. The condition would also need to be amended to reflect the letter drop required to be undertaken by the contractor. The letter drop must give advanced notice to local residents 1 week before the planned concrete pour and associated power float then subsequently 48 hours before the power floating takes place as confirmation of the likelihood that it will be occurring on a specific night.

Councillor Barnes Andrews declared he lived within the Ward, but had no personal or pecuniary interest in the application and was not required to withdraw from the Panel.

42. **PLANNING APPLICATION- 16/01120/FUL - SEYMOUR HOUSE, SEYMOUR ROAD**

The Panel considered the report of the Service Head, Planning, Infrastructure and Development Manager recommending that authority to grant conditional approval in respect of the application for a proposed development at the above address.

Erection of part two storey, part single storey side and rear extensions to facilitate an increase in the number of flats from 8 to 12 (10 x 2-bed, 2 x 3-bed)

Penny Clarke (applicant), was present and with the consent of the Chair, addressed the meeting.

Members Panel questioned the car parking provision on site. It was explained that the number of parking spaces provided by the application satisfied the required provision. In addition the Panel sought to strengthen the landscaping condition to ensure there is tree planting to the rear to help improve the residential environment and improve neighbouring amenity.

RECORDED VOTE to grant planning permission

FOR: Councillors Barnes- Andrews, Coombes and Denness and
Wilkinson

AGAINST: Councillors B Harris and L Harris

ABSTAINED: Councillor Mintoff

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

Amended Condition

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

Notwithstanding the submitted details before the occupation of the development hereby approved a detailed landscaping scheme and implementation timetable shall be submitted, 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 (the planting plan must include trees on the north east boundary;
- (iii) details of any proposed retaining walls;
- (iv) details of measures to provide defensible space in front of habitable room windows; and
- (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, in the interests of privacy and, in accordance with the duty required of the Local Planning Authority by Section 197 of the Town and Country Planning Act 1990.

43. **PLANNING APPLICATION - 16/01391/FUL- 71 UPPER BROWNHILL ROAD**

The Panel considered the report of the Service Head, Planning, Infrastructure and Development Manager recommending that authority to grant conditional approval in respect of the application for a proposed development at the above address.

Alterations and extensions to existing 4 bedroom dwelling to form 2 semi-detached houses (1 x 3 bedroom, 1 x 2 bedroom) with associated parking, cycle and refuse storage. Resubmission of 16/00097/FUL.

Viv McDowell and Mr Johnson (local residents/ objecting), Brian Campbell (agent), and Councillor Pope (ward councillors/objecting) were present and with the consent of the Chair, addressed the meeting.

The Panel reflected upon the concerns of the residents and requested that two further conditions be added to the planning permission. The first to ensure that the garden was not developed and that the foundations previously set out were returned to soft landscaping. In addition, in response to fears about the security of neighbouring properties, the Panel added a condition on boundary treatment. The

Panel requested that the Council's Planning Enforcement team should monitor the site to ensure that the amenity space is laid out properly including the removal of the existing unauthorised structure in the rear garden.

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

Additional Conditions

AMENITY SPACE ACCESS (Pre-Occupation)

Before the development hereby approved first comes into occupation, the whole external amenity space and pedestrian access to it including means of enclosure, shall be made available including grassing the soft landscaped areas and laying out the hard landscaped areas for use in accordance with the plans hereby approved. The amenity space and access to it including means of enclosure and surface treatment shall be thereafter retained for the use of the dwellings.

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

BOUNDARY TREATMENT (Pre-Occupation)

Before occupation of the development hereby approved, details of a lockable gate and enclosure to secure the side access along the western flank (allowing access for both dwellings) and align with the front wall of the main building shall be submitted to and approved in writing by the Local Planning Authority. The agreed enclosure and gate details shall be subsequently erected before the development is first occupied and shall thereafter be retained as approved.

REASON: In the interests of protecting the security of the occupiers of adjoining property.

44. **PLANNING APPLICATION - 16/01404/FUL - 1G AND 1H JANSON ROAD**

The Panel considered the report of the Service Head, Planning, Infrastructure and Development Manager recommending that authority to grant conditional approval in respect of the application for a proposed development at the above address.

Relief from conditions 4, 5 and 6 of planning permission 01/01003/FUL to allow conversion of garages for units 1G and 1H to provide additional living accommodation (resubmission 16/00738/FUL)

Conditions 4 and 5 of the proposed conditional permission were amended at the request of the Panel and a further condition detailing the building materials was requested.

RECORDED VOTE to grant planning permission

FOR: Councillors Barnes-Andrews, Coombs and Denness

AGAINST: Councillors Wilkinson and B Harris

ABSTAINED: Councillors L Harris and Mintoff

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

Amended Conditions

05. REINSTATE KERB

Prior to the first occupation of the living space hereby approved, the existing dropped kerb access adjacent to the converted garages shall be stopped up and reinstated to a full height kerb.

REASON: In the interests of protecting highway safety.

06. RETENTION OF COMMUNAL SPACES

The living space shown as a dining room on the approved plans shall not be used as a bedroom whilst the property 1G is in C4 use.

REASON: To ensure that a suitable communal facilities are provided for the residents.

Additional Conditions

DETAILS OF BUILDING MATERIALS TO BE USED (Pre-Commencement Condition)

Notwithstanding the information shown on the approved drawings and application form, with the exception of site clearance, demolition and preparation works, no development works shall be carried out until a written schedule of external materials and finishes, including samples and sample panels where necessary, has been submitted to and approved in writing by the Local Planning Authority. These shall include full details of the manufacturer's composition, types and colours of the external materials to be used for external walls and windows of the proposed works. 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. Development shall be implemented only in accordance with the agreed details.

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.

INDEX OF PLANNING APPLICATIONS FOR DECISION

DATE: 15th November 2016 - 6pm Conference Rooms 3 and 4, 1st Floor, Civic Centre

Main Agenda Item Number	Officer	Recommendation	PSA	Application Number / Site Address
5	AL	DEL	5	16/00568/FUL 305 Wimpson Lane
6	AL	DEL	5	16/01358/OUT 78 Warren Crescent
7	AC	DEL	5	16/01590/FUL Highfield Farm

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

Delete as applicable:

AL – Anna Lee

AC – Anna Coombes

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)
 - (g) Bassett Neighbourhood Plan (Adopted 2016)

3. Statutory Plans in Preparation

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 15th November 2016
Planning Application Report of the Service Lead, Planning, Infrastructure and
Development Manager

Application address: 305 Wimpson Lane, Southampton			
Proposed development: Erection of a two storey building to contain 3 x 1-bed flats with associated parking and bin/cycle stores - description amended following validation to remove 1 flat			
Application number	16/00568/FUL	Application type	FUL
Case officer	Anna Lee	Public speaking time	5 minutes
Last date for determination:	10/06/2016	Ward	Redbridge
Reason for Panel Referral:	Request by Ward Member	Ward Councillors	Cllr McEwing Cllr Pope Cllr Whitbread
Referred to Panel by:	Cllr Pope	Reason:	Overdevelopment, lack of parking and loss of privacy

Applicant: Ms Erica Williams	Agent: Kalotec Limited
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Recommendation Summary	Delegate to Service Lead, Planning Infrastructure 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 such as the impact on the character of the area, loss of trees and site history have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 186-187 of the National Planning Policy Framework (2012). Policies - SDP1, SDP4, SDP5, SDP6, SDP7, SDP8, SDP9, SDP10, SDP11, SDP12, SDP13, SDP14, SDP15, SDP16, SDP17, SDP22, H1, H2, H6 and H7 of the City of Southampton Local Plan Review (Amended 2015) and CS4, CS6, CS13, CS16, CS18, CS19, CS20 and CS22 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015).

Appendix attached	
1	Development Plan Policies
2	Site History inc. Appeal Decision
3	PINS Appeal Notice
4	Site Plan

Recommendation in Full

1. Delegate to the Service Lead, Planning Infrastructure and Development Manager to grant planning permission subject to the planning conditions recommended at the end of this report and subject to the submission of the following;
 - i. Financial contributions towards Solent Disturbance Mitigation Project in accordance with policy CS22 (as amended 2015) of the Core Strategy and the Conservation of Habitats and Species Regulations 2010.
2. In the event that the Solent Disturbance Mitigation Project contributions are not received authority be delegated to the Service Lead, Planning Infrastructure and Development Manager to refuse the application for failing to mitigate its direct impacts upon the Special Protection Area of the Solent Waters.

1.0 The site and its context

- 1.1 The application site occupies an area of 0.04 ha and is currently the side garden area of 305 Wimpson Lane. There is a dense vegetation boundary along Crabwood Road and the Wimpson Lane frontage. To the rear of the site there are two garages with parking to the front. The far garage belongs to the existing unit at 305 Wimpson Lane, the garage and parking space to the front will remain for the use of the existing property.
- 1.2 The area is characterised by mainly semi-detached two storey properties along that side of Wimpson Lane and Crabwood Road. There is a four-storey flatted block opposite and a bungalow to the rear.

2.0 Proposal

- 2.1 The initial application proposed four one-bed units with four parking spaces. Officers raised concerns relating to the number of units, footprint and overall design. The scheme has been reduced in scale to provide three one-bed units within a single block that reads as a single detached unit. The proposal has been redesigned to pick up features from the existing properties; for instance a chimney and bay window, as well as a gable front, have been added.
- 2.2 The amended scheme now provides three parking spaces (1 space per flat) and the provision of cycle and refuse storage to the rear of the site. Access is also provided to the rear of the existing property on site. The materials proposed are brickwork and tile hanging similar to other properties within the vicinity.
- 2.3 Each unit has its own separate access with one on the elevations fronting Wimpson Lane and two fronting Crabwood Road. Flat 1 and 2 are one-bed units with a bathroom and lounge/kitchen, and flat 3 (to the rear) is a duplex unit with the lounge/kitchen at ground floor and the bedroom at first floor.

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 All 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 The existing semi-detached pair on site were approved in 1977 under planning permission 1523/W5. The most relevant site history following that is for the redevelopment of a wider site (301-305 Wimpon Lane) that was approved at Panel on 24th June 2008. The application (08/00447/FUL) sought the demolition of the existing houses and erection of a part two-storey and part three-storey building to provide 24 flats (14 x one bedroom and 10 x two bedroom - resubmission). The rest of the planning history is set out in **Appendix 2**. An earlier appeal decision (which predates the approved scheme for 24 flats) is appended at **Appendix 3**.

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 (22.04.2016). At the time of writing the report **4** representations have been received from surrounding residents and one Panel request from Ward Councillor Pope. The following is a summary of the points raised:
- 5.2 **Loss of amenity to neighbouring occupiers including privacy, outlook and light**

Response

The proposal does result in windows fronting Crabwood Road but the distance between the proposal and the nearest property at 307 Crabwood Road, across a public road, is approximately 16 metres. There are no habitable windows in the side elevation of 307 Wimpon Lane. It is noted that the occupiers will have views into the rear garden area but the separation is sufficient. Furthermore, a larger development with windows in a similar location was approved by the Council in 2008 and was also found to be compliant with the adopted Residential Design Guide (2006).

5.3 Loss of on-road parking/lack of parking for the development

Response

Three parking spaces are provided for the development, which is sufficient for one-bed units and in compliance with the maximum parking standards. The Highway Officer is satisfied that the access and parking arrangements would not cause any adverse impact on road safety. A parking survey has also been provided to demonstrate that (on the survey dates of 12th September 8pm-10pm and 16th September 5am-7am) there was on street parking capacity of between 34 and 37% in the local area, equating to some 50 available spaces.

5.4 Loss of a mature tree

Response

The proposal will result in a loss of an unprotected mature tree within the street scene but no objection has been raised by the Council's Tree Team. The tree could be felled without the need for Council approval. Furthermore five additional trees are proposed as part of the application. The provision of these trees will be secured via a condition.

5.5 Impact on the existing occupiers of 305 in terms of outlook from windows on the side elevation

Response

The side window of 305 serves a dining room but the room also benefits from a further window to the front allowing good levels of light and outlook. The windows at first floor serve a bathroom and toilet, therefore the occupier's outlook and light is not detrimentally harmed by the siting of a new building alongside.

Consultation Responses

5.6 SCC Highways – No objection raised

The proposed development is acceptable in principle. There is a new parking area proposed with 3 parking spaces, which is acceptable in terms of the level and design. They are set back slightly from the footway creating a safety buffer zone which allows for both drivers and pedestrians to see vehicular movements before they conflict. I can confirm that the parking survey is considered acceptable and the results indicate that there is sufficient capacity to accommodate any potential parking overspill in the local roads.

5.7 SCC Sustainability Team – No objection raised

Conditions are recommended in order to ensure compliance with Policy CS20 which relate to energy and water restrictions.

5.8 SCC Tree Team – No objection raised

The tree team raises no objection to the proposed development provided that conditions are secured to request an Arboricultural Method Statement and landscaping plan to be approved prior to development.

5.9 SCC Environmental Health (Contaminated Land) – No objection subject to conditions.

5.10 Southern Water – No objection raised

No objection subject to an informative requiring connection 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:

- Principle of development;
- Design and amenity;
- Parking and Highway safety;
- Loss of trees and shrubs; and
- Development Mitigation

6.2 Principle of Development

6.2.1 The LDF Core Strategy identifies the Council's current housing need and this scheme would assist the Council in meeting its targets. As detailed in Policy CS4 an additional 16,300 homes need to be provided within the City between 2006 and 2026. The National Planning Policy Framework (NPPF) introduces a presumption in favour of sustainable housing development, and the use of previously developed land. The redevelopment of this site for residential use is acceptable in principle (as previously agreed by the Planning Inspectorate and the Council – see previous approvals at **Appendix 2**) and accords with the policies within the development and central government's guidance (through the NPPF) to promote sustainable and efficient use of land for housing development providing the character of an area is not compromised.

6.2.2 The development does result in the development of garden land but the resultant plot sizes are comparable to those which already exist within the area. The level of development of 75 dwellings per hectare (dph) is higher than the guide of 35-50 dph for the site having regard to criteria 1 of policy CS5 of the Core Strategy. However, when assessing this density against the history of the site, and more importantly the proximity to transport links, the proposal is acceptable. Policy CS5 indicates that the development density should have regard to the character and appearance of the existing neighbourhood and this proposal achieves this by providing a detached building containing 3 flats each with garden and parking provision.

6.3 Design and amenity

6.3.1 The design of the building has been altered since validation and now picks up on the local vernacular provided by the existing properties in the area. The area itself is not uniform in design as there are properties of varying design and height. The materials proposed mimic the existing dwelling on site but with a modern finish. The proposal will result in an impact on the street scene but the principle of redevelopment has already been approved.

6.3.2 The proposal results in the subdivision of the plot and the introduction of a unit close to the road altering the building line along Crabwood Road. In terms of the erosion of space between the proposed side elevation and the corner of Crabwood Road and Wimpson Lane the dominating hedge already removes the sense of space. 307 Wimpson Lane already brings development closer to this junction and the scheme is, therefore, character compliant. A detached building is also appropriate given the pattern of development within the locality where detached buildings pepperpot an otherwise semi-detached street pattern. A scheme for 24 units was approved on the site (and the adjacent 303 and 301 Wimpson Lane), which followed a similar line.

6.3.3 The proposal provides sufficient amenity space for the existing unit on site as a 14m garden depth is still maintained. In terms of amenity space for the proposed units, the scheme provides an area of approximately 30 sq.m to the rear for the 3 flats; whilst this is approximately half that recommended in the RDG guidance (of 20 sq.m per flat) the area provided is usable and not shaded. Furthermore, there is an area to the front of the site, which has not been included within this calculation. Although it is not private it does allow an area for sitting out and provides a private area for flat 1. Finally, the Panel will note that the development is for single bedroom flats, unlikely to be suited to families, and is only a short walk (600m) to Mansel Park.

6.3.4 In terms of the impact on the existing property on site the proposal is less deep in terms of its footprint, so there will be no loss of light to the rear of the property. The windows on the side elevation are a secondary window on the ground floor and bathroom/toilet windows at first floor. Therefore, the proximity of the building to these windows would not adversely affect the existing occupiers. With respect to the occupiers of 307 Wimpson Lane, the proposal does introduce habitable windows on the side elevation at first floor that have views onto Crabwood Road. The windows of flat 2 would have views onto the side elevation of 307 Wimpson Lane and the windows serving the bedroom and lounge/kitchen of flat 3 would have views facing the garden area of 307 Wimpson Lane. However, due to the distance to the neighbouring boundary of 12 metres and the boundary treatment no detrimental overlooking will occur. The 2008 approved scheme for 24 flats (albeit lapsed) approved a similar relationship with additional windows and there has been no material change to the neighbouring properties such that a different verdict should be reached for this proposal. It was concluded by both the Planning Panel and the Planning Inspector that the redevelopment of site in that manner would be acceptable. Therefore, the proposal for a lesser scheme does not warrant a reason for refusal on residential amenity grounds in terms of amenity space, outlook, loss of light and/or privacy.

6.4 Parking and Highway Safety

6.4.1 The application site is within an area that is easily served by public transport. The level of parking provision proposed needs to be assessed against the parking standards set out in the adopted Local Plan and Parking Standards SPD, which are maximums. Therefore, careful consideration needs to be made of the implications of the proposed number of parking spaces. The scheme proposes one space per unit, which accords with the Councils standards. There is no national or local policy requirement for the developer to design in visitor parking.

6.4.2 The level of parking provision and access arrangement will not detrimentally prejudice highway safety. A parking survey has been provided which was carried out outside of School / Public holidays. The first of the surveys was carried out on a Monday evening between the hours of 8 and 10pm. The second survey was carried out on a Friday morning between the hours of 5 and 7am. The provision of 47 available parking spaces were found during the evening survey within the area, and 52 available space were found during the early morning survey. The results of the survey indicate that there is sufficient capacity to accommodate any potential parking overspill in the local roads. Therefore on this basis the proposal is considered to address the concerns relating to parking and highway safety.

6.4.3 It should also be noted that the previous Inspector commented on this issue (albeit in 2008) as follows:

'I am aware that, among other matters raised, local residents are concerned that the proposed flats would increase parking pressures on the locality. I note that double yellow lines operate on Wimpson Lane in the vicinity and also apply at the junction with Crabwood Road. On-street parking further along the latter is not precluded. At the time of my visit, there was little evidence of parking on this road but I have no reason to doubt that more intensive parking may occur at other times. The proposed flats have been designed as a car-free scheme with the agreement of the Council as planning and highway authority as a means of encouraging less reliance on private car usage in favour of other modes, including walking, cycling, and public transport. In these circumstances, I do not find the lack of parking provision in the scheme would be grounds for refusing permission'.

6.5 Loss of trees and shrubs

6.5.1 The proposal does result in the loss of a mature tree that fronts Wimpson Lane and the removal of the hedging around the front of the site. However, neither of these landscape features are protected and nor has an objection been raised by the Council's Tree Officer. The character of the area will be altered by the loss of the vegetation but it could be removed without permission. Therefore, subject to the planting of five additional trees of a size and species to be agreed and a landscaping condition (that also secures an attractive means of enclosure to Crabwood Road such as a wall rather than a timber fence) the proposal is considered to be acceptable.

6.6 Development Mitigation

6.6.1 As with all new development the application needs to address and mitigate the additional pressure on the environmental, social and economic infrastructure of the city, in accordance with Development Plan policies and the Council's adopted Planning Obligations SPD (2013). The area of contribution for this development, in order to mitigate against its wider impact, is only towards the Solent Disturbance Mitigation Project as the net addition of 3 flats does not trigger a further s.106 legal agreement. The application is delegated for approval subject to the payment of this contribution

6.6.2 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 £176 per unit has been adopted in this case and £528 is required for this level of development. The money collected from this project will be used to fund measures designed to reduce the impacts of recreational activity. Following receipt of this payment this application has complied with the requirements of the

SDMP and meets the requirements of the Conservation of Habitats and Species Regulations 2010 (as amended).

7.0 Summary

7.1 Overall the scheme is acceptable and the level of development proposed will not result in an adverse impact on the amenities enjoyed by surrounding occupiers or to the character and appearance of the area. The proposed layout and density provides an acceptable residential environment for future occupiers. The proposal is consistent with adopted local planning policies and the National Planning Policy Framework.

7.2 A suitable balance has been achieved between securing additional housing, parking, on-site amenity space and landscaping, whilst ensuring that existing residential amenity is protected. The development will not lead to harmful levels of traffic, congestion or overspill parking within Crabwood Road having regard to the Council's maximum car parking standards. Furthermore significant weight is given to the merits of housing delivery on this site.

8.0 Conclusion

8.1 It is recommended that planning permission be granted subject to 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), (d), 4(f), (g), (vv), 6(a), (b), 7(a)

ARL for 15/11/2016 PROW Panel

PLANNING CONDITIONS to include:

01. Full Permission Timing Condition

The development hereby permitted shall begin no later than three years from the date on which this planning permission was granted.

Reason:

To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

02. Details of building materials to be used (Pre-Commencement Condition)

Notwithstanding the information shown on the approved drawings and application form, with the exception of site clearance, demolition and preparation works, no development works shall be carried out until a written schedule of external materials and finishes, including samples and sample panels where necessary, has been submitted to and approved in writing by the Local Planning Authority. These shall include full details of the manufacturer's composition, types and colours of the external materials to be used for external walls, windows, doors, rainwater goods, 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. Development shall be implemented only in accordance with the agreed details.

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.

03. Landscaping & means of enclosure detailed plan

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

- i. hard surfacing materials;
- 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. This shall include 5 trees of suitable species and size in the locations shown on the approved plans - to be agreed;
- iii. details of any proposed boundary treatment (including a brick wall to Crabwood Road and around the parking area rather than timber fencing to replace the existing hedge) and;
- iv. a landscape management scheme.

The approved hard and soft landscaping scheme (including parking and boundary treatment) 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, with the exception of the boundary treatment which shall be retained for the lifetime of the development.

Any trees, shrubs, seeded or turfed areas which die, fail to establish, are removed or become damaged or diseased, within a period of 5 years from the date of planting shall be replaced by the Developer in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation. The Developer shall be responsible for any replacements for a period of 5 years from the date of planting.

Reason:

To improve the appearance of the site and enhance the character of the development in the interests of visual amenity, to ensure that the development makes a positive contribution to the local environment and, in accordance with the duty required of the Local Planning Authority by Section 197 of the Town and Country Planning Act 1990

04. Refuse & Recycling

Before the development hereby approved first comes into occupation, the storage for refuse and recycling shall be provided in accordance with the plans hereby approved and thereafter retained as approved.

Reason:

In the interest of visual and residential amenity.

05. Cycle parking

Before the development hereby approved first comes into occupation, the storage for bicycles shall be provided and made available for use in accordance with the plans hereby approved. The storage shall thereafter be retained as approved.

Reason:

To encourage cycling as an alternative form of transport.

06. 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.

07. Use of uncontaminated soils and fill (Performance)

Only 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.

8. Unsuspected Contamination (Performance)

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. The development shall proceed in accordance with the agreed details unless otherwise agreed in writing by 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.

9. 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).

10. 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).

11. 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 to 18:00 hours

Saturdays 09:00 to 13:00 hours

And at no time on Sundays and recognised public holidays.

Any works outside the permitted hours shall be confined to the internal preparations of the buildings without audible noise from outside the building, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

12. Construction Management Plan

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

- (a) parking of vehicles of site personnel, operatives and visitors;
- (b) loading and unloading of plant and materials;
- (c) storage of plant and materials, including cement mixing and washings, used in constructing the development;
- (d) treatment of all relevant pedestrian routes and highways within and around the site throughout the course of construction and their reinstatement where necessary;
- (e) measures to be used for the suppression of dust and dirt throughout the course of construction;
- (f) details of construction vehicles wheel cleaning; and,
- (g) details of how noise emanating from the site during construction will be mitigated. The approved Construction Management Plan shall be adhered to throughout the development process unless agreed otherwise in writing by the local planning authority.

Reason:

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

13. Parking

The development shall be served by 3 parking spaces that shall have been laid out in accordance with the approved plans prior to the first occupation of the development hereby approved. The parking shall be retained as approved for the parking of resident's vehicles and shall be allocated on a 1 space per flat basis.

Reason:

To ensure appropriate parking provision is made to serve the development in the interests of highway safety and the amenity of residents.

14. No storage under tree canopy (Performance)

No storage of goods including building materials, machinery and soil, shall take place within the root protection areas of the trees to be retained on the site. There will be no change in soil levels or routing of services through root protection zones. There will be no fires on site within any distance that may affect retained trees. There will be no discharge of chemical substances including petrol, diesel and cement mixings within or near the root protection areas.

Reason:

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

15. Replacement trees (Pre-commencement)

Any trees to be felled pursuant to this decision notice will be replaced with species of trees to be agreed in writing with the Local Planning Authority prior to the commencement of development at a minimum ratio of two replacement trees for every single tree removed. The trees will be planted within the site or at a place agreed in writing with the Local Planning Authority. The Developer shall be responsible for any replacements for a period of 5 years from the date of planting. The replacement planting shall be carried out within the next planting season (between November and March) following the completion of construction. If the trees, within a period of 5 years from the date of planting die, fail to establish, are removed or become damaged or diseased, they will be replaced by the site owner / site developer or person responsible for the upkeep of the land in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation.

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

16. 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.

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Application 16/00568/FUL

APPENDIX 1

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS4	Housing Delivery
CS6	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
SDP13	Resource Conservation
SDP15	Air Quality
SDP16	Noise
SDP17	Lighting
SDP22	Contaminated Land
H1	Housing Supply
H2	Previously Developed Land
H7	The Residential Environment

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)

Planning Obligations (Adopted - September 2013)

Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework (2012)

The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

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Agenda Item 5

Appendix 2

Application 16/00568/FUL

APPENDIX 2

Relevant Planning History

07/00782/FUL

Refused under delegated powers 14.08.2007

Dismissed at Appeal on 28.02.2008

Redevelopment of the site. Demolition of the existing houses and erection of a part two-storey and part three-storey building to provide 24 flats.

07/01985/FUL

Refused under delegated powers 28.02.2008

Redevelopment of the site. Demolition of the existing houses and erection of a part two-storey and part three-storey building to provide 14 flats (3 x one bedroom, 3 x two bedroom and 8 x three bedroom)

08/00447/FUL

Conditionally approved at Panel 04.07.2008

Redevelopment of the site. Demolition of the existing houses and erection of a part two-storey and part three-storey building to provide 24 flats (14 x one bedroom and 10 x two bedroom - resubmission)

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Appeal Decision

Site visit made on 25 January 2008

by **Brian G Meardon** BA DipTP MRTPI

an Inspector appointed by the Secretary of State for
Communities and Local Government

Appendix 3

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
☎ 0117 372 6372
e-mail: enquiries@planning-inspectorate.gsi.gov.uk

Decision date:
28 February 2008

Appeal Ref: APP/D1780/A/07/2057604 301-305 Wimpson Lane, Southampton SO16 4PY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Laishley Developments Ltd against the decision of Southampton City Council.
- The application Ref 07/00782/FUL, dated 22 May 2007, was refused by notice dated 14 August 2007.
- The development proposed is redevelopment of the site, following demolition of the existing dwellings, by 24 flats with associated works and amenity areas.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the area, whether it would provide satisfactory living conditions for occupiers in terms of amenity space, and whether acceptable provision is made in relation to securing affordable housing, open space and sustainable transportation.

Reasons

3. The proposed flats would replace a bungalow and a pair of semi-detached houses at the corner of Wimpson Lane and Crabwood Road. The surrounding residential area is of mixed character; while single and two storey dwellings predominate on this side of Wimpson Lane, a series of blocks of four storey local authority flats on the opposite side are integral to the street scene.
4. In recognition of the site's sustainable location, the Council has waived on-site car parking provision; the high density scheme would therefore make an efficient use of the land. The 24 flats consist of a mix of one and two bedroom units which I understand are to be developed with a Registered Social Landlord to provide 25% affordable housing.
5. The building would take an L shaped form so as to have facades to both its road frontages. Designed in contemporary style, I consider that the proposal would add positively to the locality where existing buildings are architecturally undistinguished. Presenting three storeys to Wimpson Lane, the building would be part flat roofed and part mansard; the articulation of the facade and varied

- use of materials would have the effect of reducing the perceived mass of the flats.
6. Wimpson Lane is on slight gradient as it passes the site. Seen in relation to the framing development on this frontage, the flats building would be of comparable height to the semi detached houses on the opposite side of the Crabwood Road corner; in the other direction the stepping down of the building's façade by the incorporation of the mansard roof would ensure that the flats have an acceptable relationship with the neighbouring pair of shops.
 7. On Crabwood Road, the height of the proposed building reduces to two storeys, with a traditional pitched roof. In this way, the proposal would acceptably relate to the scale of the existing dwellings along this road and complement the street scene. The corner is presently defined by very tall, dense evergreen hedging which gives the junction an enclosed appearance. The proposal would largely replicate this situation by building close to the Crabwood Road footpath. The development would however retain a sufficient separation from the house across the road so as not to be oppressive in the vicinity of the junction.
 8. The building would be stepped back from Wimpson Lane, enabling landscaping along this frontage to enhance the setting of the flats. Taking all these considerations into account, I do not share the Council's perception that the proposal would be an overdevelopment of the site. On the contrary, I consider that the proposed flats would not be out of character with the area and the building would respond to its corner location in a manner which would be compatible with the local street scene. I therefore conclude that the proposal would not conflict with policies SDP7 and SDP9, which effectively amplify policy SDP1 of the City's Local Plan Review, nor would be inconsistent with its policy H7.
 9. The building would enclose an amenity area at the rear of around 320sqm as calculated by the appellants. Assessed as comprising around 250sqm by the Council, this would represent about 11sqm per flat which the authority indicate would be below the 20sqm figure which I understand derives from the Council's Residential Design Guide (SPG). In addition to the space at the rear of the flats, the scheme also provides for amenity land sheltered by the landscaping in front of the building, raising the overall provision of amenity space to around 520sqm. While I accept that the latter would be less usable than the more private space that would be shielded by the building, the overall provision of space would exceed the guideline to which reference has been made.
 10. The mix of accommodation is weighted towards one bedroom units, with flats offering two bedrooms in the minority. As only the latter would potentially be occupied by families with children, for whom the availability of outside space would be desirable, I consider that the proposals make sufficient provision and are therefore acceptable in terms of the living conditions of occupiers. In the context of the Council's SPG and policy SDP1, I conclude that the proposed development is acceptable.
 11. Policies H9, CLT5, CLT6, SDP2 and SDP3 respectively are geared to ensuring appropriate provision of affordable housing, open space and children's play areas, and the integration of new development with the city's transport

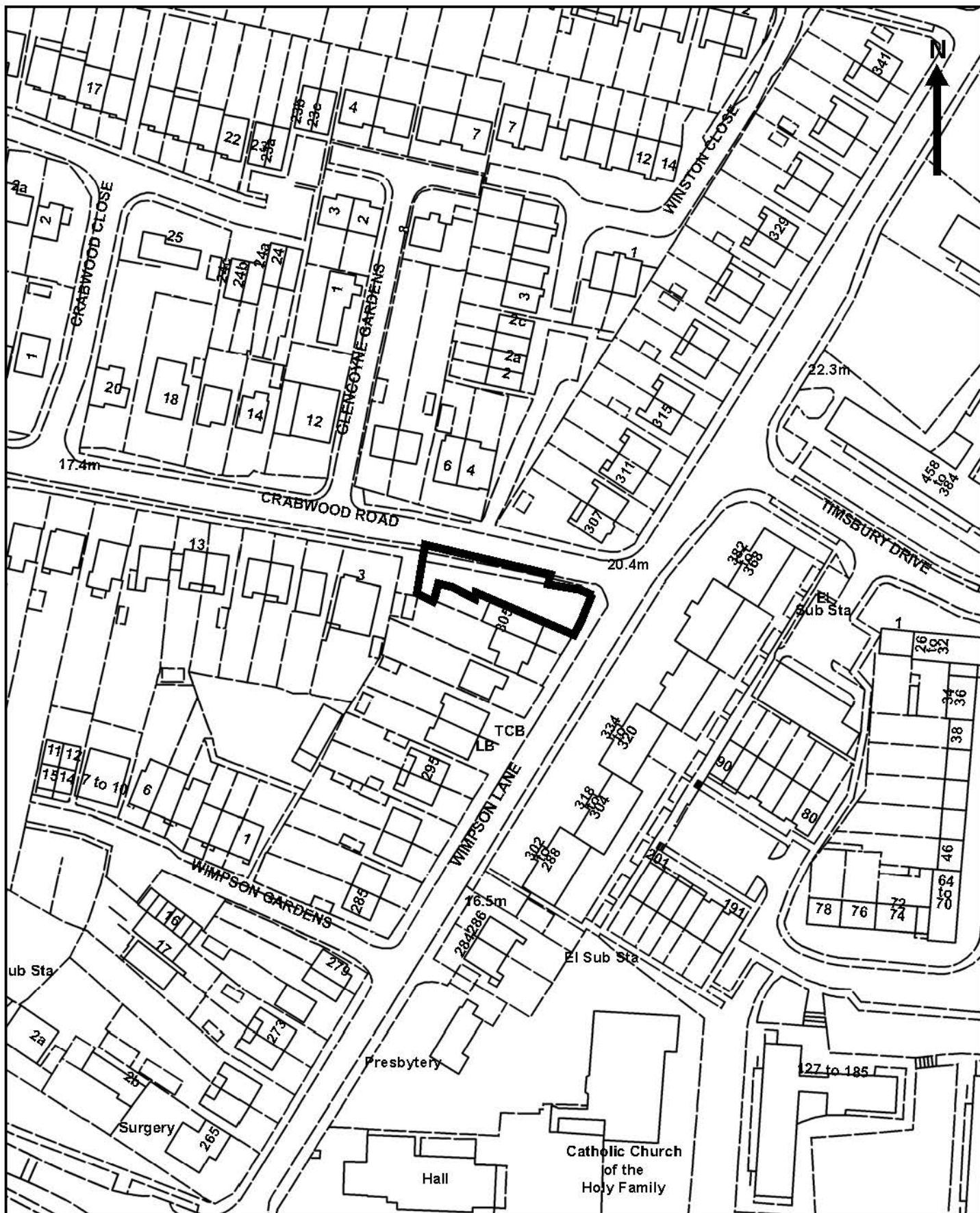
infrastructure. The policies allow for contribution to off-site measures where appropriate. While the appellants have submitted a draft S106 Unilateral Undertaking which seeks to address these matters, I have not been provided with a completed Undertaking although I appreciate that the appellants have sought to progress such a document.

12. In the circumstances, I find that no acceptable response has been made in relation to the objectives of the City Council's adopted policies. In the absence of an appropriate Undertaking, the third issue remains unresolved. The consequent conflict with the objectives of the relevant policies leads me to conclude that the appeal should be dismissed, notwithstanding that I find the proposal to be otherwise satisfactory.
13. I am aware that, among other matters raised, local residents are concerned that the proposed flats would increase parking pressures on the locality. I note that double yellow lines operate on Wimpson Lane in the vicinity and also apply at the junction with Crabwood Road. On-street parking further along the latter is not precluded. At the time of my visit, there was little evidence of parking on this road but I have no reason to doubt that more intensive parking may occur at other times. The proposed flats have been designed as a car-free scheme with the agreement of the Council as planning and highway authority as a means of encouraging less reliance on private car usage in favour of other modes, including walking, cycling, and public transport. In these circumstances, I do not find the lack of parking provision in the scheme would be grounds for refusing permission.
14. That consideration does not however affect the decision which flows from my conclusion in relation to the third issue.

Brian G Meardon

Inspector

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Agenda Item 6

**Planning, Transport and Sustainability Division
Planning and Rights of Way Panel 15th November 2016
Planning Application Report of the Service Lead, Planning, Infrastructure and
Development**

Application address: 78 Warren Crescent, Southampton			
Proposed development: Erection of a 3 storey building comprising 9 flats (6 x 1-bed, 3 x 2-bed) with associated parking, bin store and amenity space following demolition of existing building (Outline application seeking approval for access, appearance, layout and scale) (resubmission of 15/02138/OUT)			
Application number	16/01358/OUT	Application type	FUL
Case officer	Anna Lee	Public speaking time	5 minutes
Last date for determination:	28.11.2016 (Extension of Time Agreement)	Ward	Shirley
Reason for Panel Referral:	Five or more letters of objection have been received	Ward Councillors	Cllr Chaloner Cllr Coombs Cllr Kaur

Applicant: Mr Harding	Agent: Concept Design & Planning
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Recommendation Summary	Delegate to Service Lead, Planning, Infrastructure and Development to grant planning permission subject to criteria listed in report
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Community Infrastructure Levy Liable	Yes
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Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations as detailed in the report to the Planning & Rights of Way Panel on 15th November 2016 have been considered. The impacts of the scheme on the character of area and adjacent neighbouring properties 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, CS18, CS19, CS20, CS22 and CS25 of the Core Strategy (2015) saved policies SDP1, SDP4, SDP5, SDP6, SDP7, SDP9, SDP10, SDP11, SDP12, SDP13, SDP14, SDP15, SDP16, SDP17, SDP22, HE6, H1, H2 and H7 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	Relevant Planning History

Recommendation in Full

1. Delegate to Service Lead, Planning, Infrastructure and Development to grant planning permission subject to the planning conditions recommended at the end of this report and the completion of a S.106 Legal Agreement to secure:
 - 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 (as amended 2015), policies CS18 and CS25 of the adopted LDF Core Strategy (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013);
 - ii. Submission of a highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer.
 - iii. Either a scheme of works or a financial contribution towards Solent Disturbance Mitigation Project in accordance with policy CS22 (as amended 2015) of the Core Strategy and the Conservation of Habitats and Species Regulations 2010.
2. In the event that the legal agreement is not completed within three months of the decision of the Planning and Rights of Way Panel, Service Lead, Planning, Infrastructure and Development be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.
3. That the Service Lead, Planning, Infrastructure and Development be given delegated powers to add, vary and /or delete relevant parts of the Section 106 agreement and/or conditions as necessary. In the event that the 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 application site is the site of the former Shirley Warren Social Club; formerly a characterful two storey building. It is located on the corner of Warren Crescent and Coxford Close and has a site area of approximately 983 sqm (0.098 ha). The building has, however, recently been demolished following a fire last year and, as such, the site is currently vacant. The surrounding area is predominantly residential and is characterised by two storey, semi-detached properties of a distinct 1930's style.
- 1.2 There are a series of trees on site protected by the Southampton (78 Warren Crescent) Tree Preservation Order 2006. A number of these trees have, however, been removed without the prior consent of the City Council and enforcement action is currently being taken.

2.0 Proposal

2.1 The proposal is an outline planning application with only 'Landscaping' reserved for future determination. Approval is sought from the Planning Panel for the principle and quantum of development, its 'Access', 'Appearance', 'Layout' and 'Scale'. The proposed scheme seeks to provide a three storey building comprising 9 flats; six 1-bed units and three 2-bed units. Nine on-site car parking spaces are provided within a frontage parking area on a 1 space per flat basis.

2.2 The building is 'L' shaped in design and is a full three storey in height with a pitched roof. Three flats are provided at ground floor (comprising 2 no.1-beds and a 2-bed unit to the rear). Two of these flats have access to separate private amenity space. On each above ground level two 1-bed units and one 2-bed unit are provided in the same format. Following the receipt of amended plans 4 of these flats will have access to a private balcony and all residents will have access to a communal area of garden space in the form of a landscaped area which is approximately 200sq.m (which equates to approximately 22sq.m per flat). Seven of the nine units have private external amenity with direct access to either a balcony or a private garden area. In addition, the cycle storage and refuse storage is located to the front within the parking 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 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 In 2015, an outline application (ref.15/02138/OUT) sought permission for the erection of a three-storey building comprising 4 x one-bed, 4 x two-bed and 1 x three-bed flats with associated parking, bin store and amenity space following demolition of existing building. The reasons for the delegated refusal of this scheme relate to inappropriate design/overdevelopment (excessive footprint, flat roof design and loss of trees), highway safety, insufficient refuse storage and failure to enter into the S106 legal agreement, (see **Appendix 2** for the full reasons for refusal and further history).

4.2 This scheme seeks to address the previous reasons for refusal.

4.3 On the immediately adjacent site permission was given for the erection of two separate two storey blocks of residential accommodation comprising '*Block A*' with 2 x 1 bed flats and '*Block B*' with 2 x 3 bed semi-detached houses, with associated parking and ancillary storage' (LPA ref:12/00160/FUL).

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 (19 in total) and erecting a site notice (16.08.2016). At the time of writing the report **5 representations** have been received from surrounding residents. The following is a summary of the planning related points raised:

5.2 Overdevelopment due to the 3 storey height and footprint

Response

The density of the scheme 92 dwellings per hectare (dph) is in line with maximum levels set out in policy CS5 where 50-100 dph can, in principle, be approved in this area. Encouraging higher densities within areas of good access to local facilities is enshrined within local and national planning policy. Sufficient amenity space is provided and the three storey height is acceptable in this location as the site lies in a corner position where additional height over the two storey context can be entertained in principle. On this occasion the footprint takes the bulk away from the frontage and responds well to the site.

5.3 Adjacent redevelopment compounds the impact

Response

Every application is assessed on its own merits, but regard has been had to the potential redevelopment of the adjacent site and the relationship of developments to one another.

5.4 The proposal will result in insufficient of parking, traffic congestion and highway safety

Response

Nine parking spaces are proposed to serve 9 flats, which is acceptable in this location, and achieves a 1 space per flat provision. The proposal provides parking spaces in line with Council's current maximum parking standards policies. On this basis no objection has been received from the Council's Highway Development Management team. All residential development has an impact on the highway network and a highway safety improvement s.106 package is being sought to help mitigate against any potential highway safety issues whilst improving site access to non-car modes.

5.5 The scheme will result in a loss of privacy, overlooking and is to be constructed in close proximity to the neighbouring properties

Response

The proposal will have an impact on neighbouring properties but not sufficient to warrant refusal on the grounds of loss of privacy or amenity due to the distance to the existing neighbouring properties. The majority of neighbours are separated from this corner site by existing roads thereby reducing the impacts. Regard has also been given to the potential redevelopment of the adjacent site and the layout of the scheme has been assessed against this proposal.

Consultation Responses

5.6 **SCC Highways - No objection**

No objection is raised subject to conditions securing details of the refuse and cycle store and the submission of a refuse management plan. As well as conditions to cover sight lines, reinstatement of the kerb and details of the hard paving.

5.7 **SCC Sustainability Team - No objection**

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

5.8 **SCC Environmental Health (Pollution & Safety) - No objection** subject to conditions.

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 Archaeology- – No objection**

No conditions are required.

5.11 **SCC Trees – No objection**

No objection subject to conditions securing tree retention and safeguarding as well as a full arboricultural method statement.

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 as well as a condition requesting further details of the surface water runoff.

6.0 Planning Consideration Key Issues

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

- How the scheme has responded to the previous reasons for refusal;
- Principle of development and Density;
- Design and amenity;
- Highway Safety and Parking;
- Landscaping and tree protection; and
- Development Mitigation

6.2 Response to previous reasons for refusal

6.2.1 The 2015 scheme detailed above was refused for representing an overdevelopment of the site; it had poor design and excessive footprint/hardstanding/loss of trees. The full reasons are detailed at **Appendix 2** of this report.

6.2.2 The loss of protected trees is being dealt with under separate enforcement action. The scheme has been amended to break up the elements of the building and create a corner feature whilst removing some parking spaces to allow for amenity space and overall setting thereby reducing the amount of hardstanding. The design has been simplified and the bulk has been reduced by providing articulation and a pitched roof more in line with existing properties. The other reasons for refusal related to the failure to provide the S106 contributions, issues of highway safety and poor refuse storage. In response, the parking area has been reduced and no vehicles are able to reverse onto the highway. The refuse storage is located closer to the highway thereby satisfying the previous reason for refusal. Overall, officers believe the reasons for refusal have been addressed by this revised scheme and can now be recommended favourably to the Planning Panel for the reasons set out below:

6.3 Principle of Development and Density

6.3.1 The application site is not an allocated site within the Council's Development Plan, but it is located within an area with other residential properties. The LDF Core Strategy identifies the Council's current housing need and this scheme would assist the Council in meeting its targets. As detailed in Policy CS4 an additional 16,300 homes need to be provided within the city between 2006 and 2026 for the city to address its own requirements. The National Planning Policy Framework (NPPF) introduces a presumption in favour of sustainable housing development, the use of previously developed land and therefore the principle of

the proposal is generally supported.

- 6.3.2 Following the fire the building is no longer being used, or capable of being used, as a community facility, and the facility is no longer in existence, physically or operationally. As such, the previous community use of the building was lost when the building burnt down and, as such, LDF Policy CS3 (Community Facilities) no longer applies to this application. Furthermore, the loss of the existing club, its possible re-provision or potential for future community use was not raised as an issue when the first planning application was refused
- 6.3.3 Policy CS5 seeks to ensure that development within 'medium' accessibility areas have a density of between 50 and 100 dwellings per hectare (dph). Therefore the proposed density of 92 dph is acceptable in principle and the form of development to achieve this quantum of development is assessed below. The development would create additional housing stock for Southampton as well as bringing the vacant site back into use whilst providing a mixed housing offer.
- 6.4 Design and Amenity
- 6.4.1 The application site occupies a prominent location at the junction of Warren Crescent and Coxford Close. The surrounding area is predominantly residential and is characterised by pairs of two storey, 1930s semi-detached dwellings. It is noted that before the fire in July 2015, the Shirley Warren Social Club building was an attractive 1930s style brick building with a hipped roof and timber sliding sash windows in keeping with the style of the surrounding area. Properties in the surrounding area have a distinctive appearance including features such as hipped side and front roofslopes, chimneys, ground floor bay windows and porch canopies
- 6.4.2 Building heights within the surrounding area are predominantly two storey, however, there is a three storey block of flats located along Coxford Close. Given that the application site is a corner site, a taller building would be acceptable here. With any taller building, variations in elevations can successfully break up the overall bulk of the development which is the case here. The bulk and footprint of hardstanding has been significantly reduced for this scheme following the refusal of an earlier proposal. Roofslopes within the surrounding area are hipped to the side and to the front. The scheme for the other half of the wider site (approved under 12/00160/FUL) also incorporated hipped roofslopes in keeping with the character of the surrounding area. The revised scheme for the redevelopment of this site incorporates a pitched roof form which relates sympathetically with established development within the local area and, together with the reduced footprint and building bulk, the addresses the previous reasons for refusal for the reasons set out above.
- 6.4.2 The layout of the proposed parking court is a significant improvement on that of the refused scheme. This parking is sited appropriately and provides sufficient space for on-site turning whilst avoiding the creation of a vehicle dominated frontage. Landscaping, including tree planting, has been indicatively shown along the Coxford Close site boundary to provide additional screening for this car parking area; although the landscaping for this development is not part of the Council's assessment at present. Paragraph 3.9.2 of the Residential Design Guide states that, 'In all cases outside of the city centre the footprint of buildings and hard surfaced areas should not exceed 50% of the site'. The site area is approximately 983sq.m. The building footprint would measure approximately 195sq.m whilst the parking court and other hardstanding would measure approximately 305sq.m. As such, a total of approximately 500sq.m of the site would be covered by buildings or hardstanding (including paths and the parking

area). This is only marginally more than half the total site area, and additional soft landscaping is indicatively introduced where possible to address this (albeit reserved at this stage). Overall, the design, footprint and bulk has been reduced and is now acceptable. The redevelopment of the site returns the site back into use in a positive way and outweighs the concern raised over the proposed level of hardstanding.

- 6.4.3 The proposed units would be of an adequate size to provide a decent quality standard of residential accommodation for future occupiers. The 'L' shaped design enables all units to be dual aspect. Habitable room windows (serving bedrooms, living and dining areas) within all of the proposed flats would benefit from sufficient access to light and outlook and all units would benefit from good levels of privacy. Sufficient amenity space is provided for the units as seven of the units have private amenity space in the form of a balcony or private garden, and 200sq.m of communal space is provided therefore exceeding the 20sq.m required.
- 6.4.4 With respect to the impact on the neighbouring properties No.1 Ross Gardens is located to the west of the site and is, with 70 Coxford Close, the most affected neighbour. The side elevation of this property faces the application site and contains a clear glazed window at first floor level in addition to two clear glazed windows at ground floor level. A look at the planning history for this neighbouring property indicates that the first floor window serves a stairwell whilst the ground floor windows serve a kitchen and an entrance hall. None of these are considered to be 'habitable' rooms in the context of planning control. The side wall of no.1 Ross Gardens would face windows within the proposed building, but due to the distance of approximately 25m there is no significant loss of amenity through reduced privacy, loss of light, loss of outlook or increased sense of enclosure
- 6.4.5 No.70 Coxford Close is also located to the west of the site. The side elevation of this property faces the application site. There are no windows within the side elevation of this property. There is a door at ground floor level however this appears to serve a car port and does not therefore, provide outlook or light for any habitable rooms. An acceptable separation distance has been provided between these properties of 27 metres to ensure that no significant loss of amenity would occur for occupiers.
- 6.4.6 No.76 Warren Crescent is located to the north of the site. The side elevation of this property faces the application site and contains a clear glazed window at first floor level (likely to serve a landing window) in addition to three windows and a door at ground floor level. The ground floor levels are already obscured by the boundary fence of this property and appear to be secondary to main windows within the front and rear elevations. Due to the distance, and the adjacent site in between this development, the impact would not be detrimentally harmful. It is noted that the adjacent site is a development site but the permission has expired; the approval for that ensured that the windows on the proposed development would not result in a loss of privacy or outlook for either occupier. The two windows that look into the site (bar the bathroom windows) serve a kitchen area and bedroom. The kitchen windows are 5 metres from the boundary and the bedroom windows are 7.5 metres from the boundary. Although not ideal the outlook and privacy is acceptable and the impact upon neighbouring properties didn't form a previous reason for refusal due to the distances between the site and the neighbouring properties. It is not recommended that the Panel introduce this as a concern at this stage.
- 6.4.7 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

6.5.1 The City Council's Highways officers have advised that the proposed parking layout is an improvement on that of the previously refused scheme. On-site turning has been provided to ensure that cars can move to and from the public highway in a forward gear. Adequate sightlines should also be provided and a condition is sought to provide further details. The previous refusal in terms of highway safety has been addressed by the amendments to this scheme.

6.5.2 A further reason for refusal related to the location of the refuse storage in terms of collection and residential amenity. The scheme, subject to further details of the management on collection day, addresses previous concerns as it does not obscure the outlook from one of the units. The proposal provides refuse storage and cycle storage but the location of the refuse storage is too remote from the highway. A refuse collection point near the highway for collection days is required and a condition is imposed to secure further details. Overall, the removal of the parking spaces fronting Coxford Close, the reduction of the parking area, and the relocation of the refuse storage ensures that the previous reason for refusal has been addressed.

6.5.3 The provision of nine car parking spaces is sufficient for a scheme of this level of development and no objection has been raised on this basis. The maximum requirement for this scheme would be 12 spaces based on the proposed mix of 6 no.1 beds and 3 no.2 beds. A 1 space per flat offer is considered to be acceptable and strikes the correct balance between reducing the hardstanding, achieving more soft landscaping and useable amenity space, and securing parking for each dwelling.

6.6 Landscaping and tree protection

6.6.1 The landscaping of the scheme is shown indicatively at this stage and is reserved for future submission as a 'Reserved Matter'. However, tree retention conditions are suggested due to the history of the site following the recent removal of TPO trees.

6.7 Development Mitigation

6.7.1 As with all new 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). The main area of contribution for this development, in order to mitigate against its wider impact, are highway contributions towards improved cycleway signage in the near vicinity of the site. The Council no longer seeks affordable housing from schemes of this size following the Government's position that only schemes of 11 or more units should contribute.

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 £176 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 redevelopment of the site for the 9 residential units proposed for this scheme has addressed the previous reasons for refusal and 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.

8.0 Conclusion

8.1 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 15/11/2016 PROW Panel

PLANNING CONDITIONS to include:

01. Outline Permission Timing Condition (Performance)

Outline Planning Permission for the principle of the development proposed and the following matters sought for consideration, namely the layout of buildings and other external ancillary areas, the means of access (vehicular and pedestrian) into the site and the buildings, the appearance and design of the structure, the scale and the massing and bulk of the structure of the site is approved subject to the following:

Written approval of the details of the following awaited reserved matters shall be obtained from the Local Planning Authority prior to any works taking place on the site:

- the landscaping of the site specifying both the hard, soft treatments, means of enclosures/boundary treatment and ongoing maintenance

An application for the approval of the outstanding reserved matters shall be made in writing to the Local Planning Authority before the expiration of three years from the date of this Outline Permission

The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last application of the reserved matters to be approved.

Reason:

To enable the Local Planning Authority to control the development in detail and to comply with Section 91 and Section 92 of the Town and Country Planning Act 1990 (as amended).

02. Details of building materials to be used (Pre-Commencement Condition)

Notwithstanding the information shown on the approved drawings and application form, with the exception of site clearance, demolition and preparation works, no development works shall be carried out until a written schedule of external materials and finishes, including samples and sample panels where necessary, has been submitted to and approved in writing by the Local Planning Authority. These shall include full details of the manufacturer's composition, types and colours of the external materials to be used for external walls, windows, doors, rainwater goods, the roof of the proposed buildings, and the car parking area. 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. Development shall be implemented only in accordance with the agreed details.

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.

03. Cantilevered Balconies

Further details of the cantilevered balconies hereby approved (including their materials, design, colour and underside finish) shall be provided and approved in writing by the Local Planning Authority prior to their installation. The approved balconies shall be erected prior to the first occupation of the development and retained to serve the associated flats thereafter.

Reason:

In the interests of good design

04. No other windows or doors other than approved (Performance Condition)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order), no windows, doors or other openings, other than those expressly authorised by this permission, shall be inserted above ground floor level in the side elevations of development hereby permitted without the prior written consent of the Local Planning Authority.

Reason:

To protect the amenities of the adjoining residential properties.

05. Car parking layout

Prior to the first occupation of the development the car parking area shown on approved plans for 9 vehicles allocated on a 1 space per flat basis shall be provided, surfaced and marked out as approved. Thereafter they shall be retained to serve the development in line with the approved plan unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interest of highway safety and to ensure appropriate car parking provision is provided in the interests of residential amenity.

06. Sightlines specification

Sight lines of 2.4m x 45m measured at the back of footway shall be provided before the use of any building hereby approved commences, and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended no fences walls or other means of enclosure shall be erected above a height of 0.6m above ground level within the sight line splays.

Reason:

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

07. APPROVAL CONDITION - Cycle parking (Performance Condition)

Before the development hereby approved first comes into occupation, the storage for bicycles shall be provided and made available for use in accordance with the plans hereby approved. The storage shall thereafter be retained as approved.

Reason:

To encourage cycling as an alternative form of transport.

08. Euro Bin Storage (Performance)

The bin store shall be constructed of masonry under a suitable weatherproof roof, with adequate ventilation. The collection doors are to be of sturdy construction and hinged to open outwards with a minimum opening of 1.4m wide, to have level access avoiding thresholds, and a lock system to comply with SCC standard lock requirements operated by a coded key pad. It must be possible to secure the doors open whilst moving the bins.

Internal lighting to operate when doors are open, and a tap and wash down gulley to be provided, with suitable falls to the floor. Internal doors/walls/pipework/tap/conduits to be suitably protected to avoid damage caused by bin movements.

The access path to the bin store shall be constructed to footpath standards and to be a minimum width of 1.5m. Any gates on the pathway are not to be lockable, unless they comply with SCC standard coded keypad detail.

The gradient of the access path to the bin store shall not exceed 1:12 unless suitable anti-slip surfacing is used, and still shall not exceed 1:10.

A single dropped kerb to the adjacent highway will be required to access the refuse vehicle with the Euro bin.

The site management must contact SCC refuse team 8 weeks prior to occupation of the development to inspect the new stores and discuss bin requirements, which are supplied at the developer's expense. E mail waste.management@southampton.gov.uk

Reason:

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

09. Refuse storage collection point

The refuse bins associated with this development shall be located in the approved refuse storage at all times apart from collection day unless agreed otherwise in writing by the Local Planning Authority.

Reason:

To prevent a detrimental impact on the character of the area.

10. Surface / foul water drainage (Pre-commencement)

No development approved by this permission shall commence until a scheme for the disposal of foul water and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the agreed details and be retained as approved.

Reason:

To ensure satisfactory drainage provision for the area.

11. Energy & Water (Pre-Commencement)

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).

12. 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).

13. Sustainable Drainage Systems (Pre-Commencement)

Prior to the commencement of development a specification for the proposed sustainable drainage system (including green roofs) shall be submitted to the Local Planning Authority. A sustainable drainage system to the approved specification must be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained thereafter. In the development hereby granted consent, peak run-off rates and annual volumes of run-off shall be no greater than the previous conditions for the site.

Reason: To conserve valuable water resources, in compliance with and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010) and to prevent an increase in surface run-off and reduce flood risk.

14. Land Contamination investigation and remediation [Pre-Commencement & Occupation]

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.

15. Use of uncontaminated soils and fill [Performance]

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.

16. Unsuspected Contamination [Performance]

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. The development shall proceed in accordance with the agreed details unless otherwise agreed in writing by 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.

17. 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.

18. Tree Retention and Safeguarding [Pre-Commencement Condition]

All trees to be retained pursuant to any other condition of this decision notice shall be fully safeguarded during the course of all site works including preparation, demolition, excavation, and construction and building operations. No operation in connection with the development hereby permitted shall commence on site until the tree protection as agreed by the Local Planning Authority has been erected. Details of the specification and position of all protective fencing shall be indicated on a site plan and agreed with the Local Planning Authority in writing before any site works commence. The fencing shall be maintained in the agreed position until the building works are completed, or until such other time that may be

agreed in writing by the Local Planning Authority following which it shall be removed from the site.

Reason: To ensure that trees to be retained will be adequately protected from damage throughout the construction period.

19. 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.

20. Arboricultural Method Statement [Performance]

The development hereby approved shall be carried out in accordance with the submitted Arboricultural Method Statement (see above condition) including the tree protection measures throughout the duration of the demolition and development works on site.

Reason:

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

21. Site Levels [pre-commencement]

No development shall take place (excluding demolition and site set up) until further details of finished levels have been submitted to and approved in writing by the Local Planning Authority. These details shall include Above Ordnance Datum (AOD) for the proposed finished ground levels across the site, building finished floor levels and building finished eaves and ridge height levels and shall be shown in relation to off-site AOD. The development shall be completed in accordance with these agreed details.

Reason:

To ensure that the heights and finished levels of the development are built as agreed in the interests of visual and neighbour amenity.

22. 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.

23. Construction Management Plan (Pre-Commencement)

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

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

The approved Construction Management Plan shall be adhered to throughout the development process unless agreed otherwise in writing by the local planning authority.

Reason:

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

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

All works relating to the demolition, clearance and construction of the development hereby granted shall only take place between the hours of:

Monday to Friday 08:00 to 18:00 hours

Saturdays 09:00 to 13:00 hours

And at no time on Sundays and recognised public holidays.

Any works outside the permitted hours shall be confined to the internal preparations of the buildings without audible noise from outside the building, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

25. 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.

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS4	Housing Delivery
CS6	Housing Density
CS13	Fundamentals of Design
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS22	Promoting Biodiversity and Protecting Habitats
CS25	The Delivery of Infrastructure and Developer Contributions

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

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP6	Urban Design Principles
SDP7	Urban Design Context
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP12	Landscape & Biodiversity
SDP13	Resource Conservation
SDP14	Renewable Energy
SDP15	Air Quality
SDP16	Noise
SDP17	Lighting
SDP22	Contaminated Land
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 - September 2013)

Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework (2012)

The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

Relevant Planning History

1. 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 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;
- (b) An excessive amount of site coverage (more than 50%) 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.
- (c) The creation of residential scheme with a vehicle dominated site frontage along Coxford Crescent detrimental to the overall appearance of the streetscene.
- (d) The impact of the loss of 5 on site trees protected by the Southampton (78 Warren Crescent) Tree Preservation Order 2006 on the visual amenity of the surrounding area which, following the removal of this mature boundary screen, now has very limited landscaping with limited space for appropriate replacements

Note: The removal of TPO trees at this address has been passed to Planning Enforcement to investigate further.

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 (i)/(ii)/(iii)/(iv)/(v), SDP8 (i), SDP9 (i)/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 the relevant sections of the adopted Residential Design Guide SPD (September 2006), paying particular attention to 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, 3.1.08, 3.10.12, 3.10.13, 3.10.14, 3.10.16 and 3.10.17.

REASON FOR REFUSAL: Highways Safety

The proposed parking layout would result in an increase in the number of vehicles reversing onto the public highway (onto Coxford Close). Owing to the proximity of the site to the junction of Warren Crescent and Coxford Close and to the junction of Coxford Close and Bindon Road, this is considered to be an unsafe arrangement which would be detrimental to highways safety by virtue of an increased risk of collisions, and conflicts with passing pedestrians. Furthermore, insufficient detail regarding sightlines has been provided. This development would therefore, be contrary to Policies SDP1(i) and SDP4 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) as supported by section 5 of the Council's approved Residential Design Guide SPD (2006).

3. REASON FOR REFUSAL: Inadequate Refuse Storage

The proposed scheme fails to incorporate a convenient means of refuse storage which would be easily accessible for refuse collectors. Furthermore, the store shown has been sited immediately in front of a proposed bedroom window serving Plot 6. This proposal would therefore, be contrary to paragraphs 9.2.4, 9.3, 9.3.3 and 9.3.4 of the Residential Design Guide SPD and does not result in a well planned development as required by Policy SDP1(i) of the adopted City of Southampton Local Plan Review (March 2015) .

4. 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).

Note: This final reason could be addressed following the submission of an acceptable scheme and a completed s.106 legal agreement.

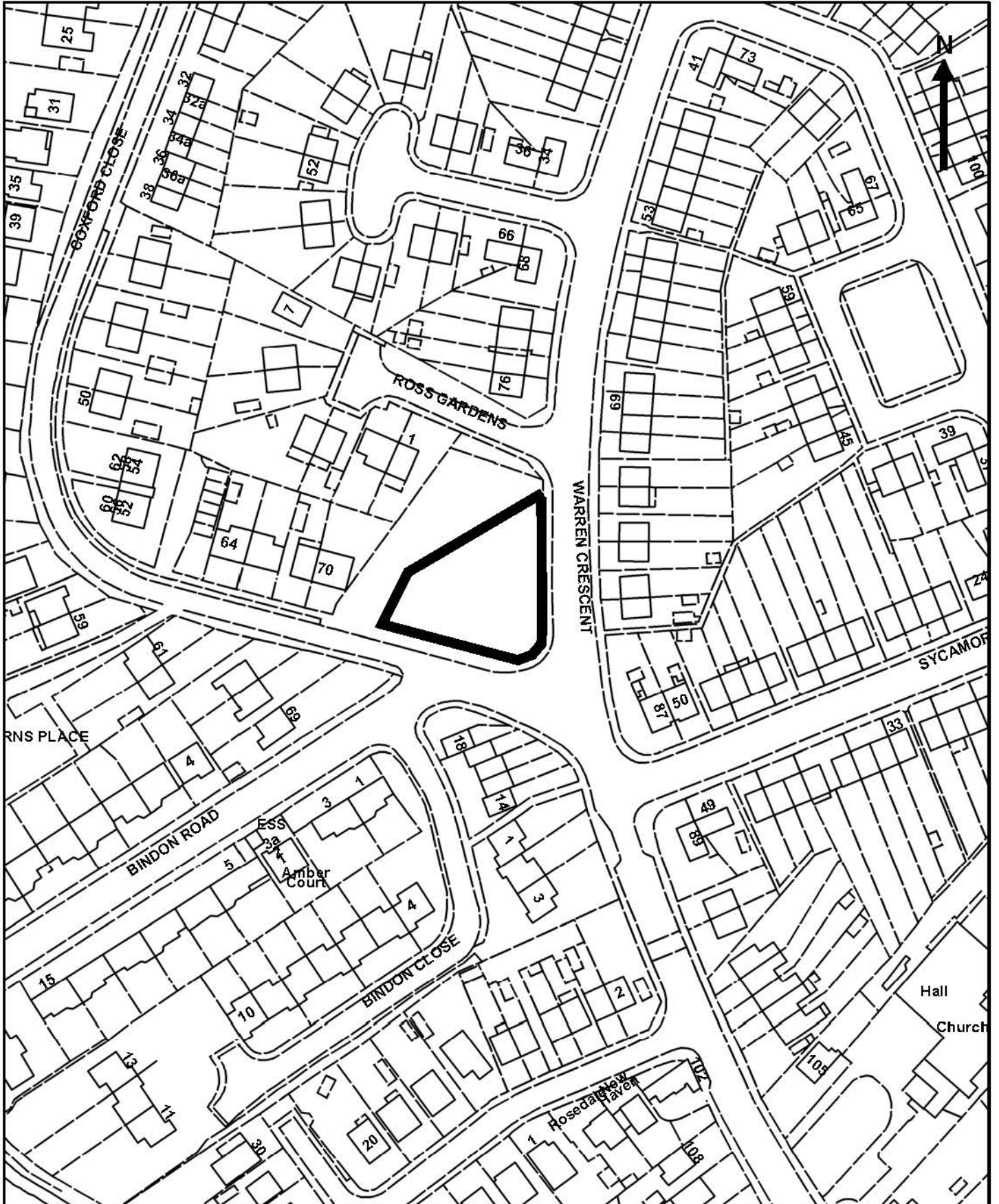
In 2012, conditional approval (ref.12/00160/FUL) was granted for the erection of two separate two storey blocks of residential accommodation comprising 'Block A' with 2 x 1 bed flats and 'Block B' with 2 x 3 bed semi-detached houses, with associated parking and ancillary storage. This scheme related to the whole site.

In 2007, conditional approval (ref.07/00933/FUL) was granted for the erection of two separate two storey blocks of residential accommodation comprising 'Block A' with two 1 bed flats and 'Block B' with four 2 beds flats and a single storey extension. Alterations to existing snooker hall (resubmission). This scheme related to the whole site.

In 2007, application ref.07/00163/FUL was refused. This sought permission for the erection of two separate two storey blocks of accommodation: 'Block A' comprising two 2 bed flats and 'Block B' comprising four 2 beds flats and a single storey extension (resubmission). This scheme related to the northern part of the site only.

In 2006, application ref.06/00513/FUL was refused. This sought permission for the part demolition of existing buildings. Erection of a two and three storey block of 8 two-bedroom flats and a single storey extension providing a snooker room to the social club following the partial demolition of the club building. This scheme related to the northern part of the site only.

In 1995, conditional approval (ref.950425/W) was granted for the erection of a detached house.



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**Planning, Transport & Sustainability Division
 Planning and Rights of Way Panel 15th November 2016
 Planning Application Report of the Planning and Development Manager**

Application address: Highfield Farm, Hilldown Road, Southampton			
Proposed development: Convert 2 x existing buildings to residential (Use Class C3) to create 1 x three bed dwelling and 1 x two bed dwelling including a single-storey side extension to the barn and dormer window to the front of the annexe and additional windows and doors.			
Application number	16/01590/FUL	Application type	FUL
Case officer	Anna Coombes	Public speaking time	5 minutes
Last date for determination:	21/11/2016	Ward	Portswood
Reason for Panel Referral:	More than five letters of objection have been received	Ward Councillors	Cllr Savage Cllr Claisse Cllr O'Neill
Applicant: Mr Jason Webb		Agent: Knight Architectural Design	

Recommendation Summary	Delegate to Service Lead, Planning Infrastructure and Development Manager to grant planning permission subject to criteria listed in report
Community Infrastructure Levy Liable	Yes

Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable, conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 186-187 of the National Planning Policy Framework (2012). Policies - SDP1, SDP5, SDP7, SDP9, SDP10, SDP12, H1, H5 and H7 of the City of Southampton Local Plan Review (Amended 2015) and CS4, CS5, CS13, CS16, CS18, CS19, CS20, CS22 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015).

Appendix attached	
1	Development Plan Policies

Recommendation in Full

1. Delegate to the Service Lead Planning, Infrastructure and Development Manager to grant conditional planning permission subject to the completion of a Habitats Mitigation Agreement or Unilateral Undertaking to secure:
 - i. 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.
2. In the event that the legal agreement is not completed within two months of the Service Lead Planning, Infrastructure and Development Manager be authorised to refuse permission following consultation with the Chair of the Planning & Rights of Way Panel on the ground of failure to secure the provisions of the Habitats Mitigation Agreement or Unilateral Undertaking.

1. The site and its context

- 1.1 This application site consists of a builder's yard, on a sloping site, which contains two detached, 2-storey buildings. The site has been used for the storage of building materials since the 1990s and, at the time of the site visit, a car sales use was also operating on site. The site is closely surrounded by residential dwellings on all sides. The buildings on site are mostly screened by the existing surrounding dwellings, but there are views from above the site, looking down the access from the top of Hilldown Road; level with the site between The Farmhouse and No.1 Hilldown Road; and looking up towards the site from the lower level of Hilldown Road, from No. 5, and between No's 7 and 5.
- 1.2 The site is located within Portswood Ward, close to the University of Southampton Highfield Campus. Hilldown Road consists of a mix of detached and semi-detached dwellings with a mix of two-storey dwellings and chalet bungalows in a range of styles. The majority of the frontage has been hard-surfaced.

2. Proposal

- 2.1 The application proposes to convert the 2 existing buildings on site from storage for building materials and ancillary offices into new dwellings. The existing large 'Barn' building, which currently hosts offices and storage, will be converted into a 3 bedroom dwelling, with a modest 2-storey side extension to the northern elevation. The existing smaller 'annexe' building, which currently hosts storage and further offices, will be converted into a 2 bed dwelling with only a small dormer window extension to the north-western front elevation.
- 2.2 In addition to the small extensions described above, the works will involve changes to the arrangement of windows and doors on the front elevations of both buildings, which face into the site, and the installation of a ground floor patio door to the south-western side elevation of the annexe building. The existing hard surfacing to the north of the buildings will be retained to provide 3 parking spaces, bin storage and access.
- 2.3 The existing hard surfacing between the two buildings will be laid to lawn and enclosed to provide private amenity space for each of the new dwellings. The total garden amenity space provided is 170m² excluding a pathway to the front door of the annexe building. Details of the subdivision of this garden area and further details about landscaping treatments are to be secured by condition.

3. Relevant Planning Policy

- 3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (as amended 2015) and the City of Southampton Core Strategy (as amended 2015). The most relevant policies to these proposals are set out at **Appendix 1**.
- 3.2 Saved Policy SDP1 (Quality of development) of the Local Plan Review allows development, providing that it does not unacceptably affect the health, safety and amenity of the city and its citizens. Policy SDP7 (Context) and SDP9 (Scale, Massing, and Appearance) allows development which will not harm the character and appearance of the local area, and seeks high quality building design which respects the surrounding area in terms of scale and massing. Policy CS13 (Fundamentals of Design) assesses the development against the principles of good design.
- 3.3 Policies H5 and H7 state that the conversion of non-residential dwellings for housing purposes will be acceptable provided that the level of parking accords with our standards, the location is sustainable, surrounding land uses are compatible and the residential environment is of good quality.
- 3.3 Policy CS4 acknowledges that new homes will generally need to be built at higher densities. New dwellings coming forward on suitable windfall sites will contribute towards delivering the Council’s strategic target for housing supply.
- 3.4 Policy CS5 acknowledges that there is continuing pressure for higher densities in order to deliver development in Southampton, thereby requiring the efficient and effective use of land. However, the policy confirms that development should still be an appropriate density for its context, and protect and enhance the character of existing neighbourhoods.
- 3.5 Policy CS16 of the Core Strategy supports a mix of dwellings sizes and the proposed 170m² amenity space is only 10m² short of our 180m² standard garden size for 2x detached dwellings (90m² per dwelling). It is worth noting that the 2 bed annexe building does not fit the traditional definition of a detached dwelling and that the local building pattern on adjacent plots suggests smaller than average garden areas. The subdivision of the amenity space can provide convenient, accessible and private garden areas for both the 3 bed and 2 bed dwellings.
- 3.6 Policy CS19 of the Core Strategy (Car and Cycle Parking) of the Core Strategy sets out the Council’s approach to car and cycle parking standards for new developments in the city, as supported by the guidance and standards set out in section 4.2 of the Parking Standards Supplementary Planning Document (formally adopted September 2012).
- 3.7 The National Planning Policy Framework (NPPF) came into force on 27th March 2012 and replaces the previous set of national planning policy guidance notes and statements. The Council has reviewed the Core Strategy to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.

4. Relevant Planning History

- 4.1 891225/W – Continued use of first floor as offices and associated facilities for the established builders yard on the site, retention of alterations to roof including a dormer window on the south east elevation and 3 rooflight windows and retention of two oil storage tanks – Conditionally approved 14.02.1990

5. Consultation Responses and Notification Representations

5.1 Following the receipt of the planning application, a publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners, and erecting a site notice (on 30/09/2016). At the time of writing the report 7 representations have been received from surrounding residents. The following is a summary of the points raised:

5.1.1 Increased traffic movements and on-street parking pressure, due to insufficient parking on site.

Response: 3 car parking spaces will be provided on site. This is 1 less than the maximum standards for parking permits for a 3 bed and a 2 bed dwelling in this location. The provision of less than the maximum standards is permissible and it is worth noting that the Highways Team recognise that there is capacity on site for tandem parking to provide an additional space, if necessary, so the risk of overspill parking is minimised. The Highway Officer has no concerns regarding the impact on highway safety from the change in traffic movements and access from Hilldown Road.

5.1.2 Out of character, over-development.

Response: The works to facilitate the conversion will have minimal impact on the appearance of the buildings within the street scene. The extension to the Barn is modest in size and the dormer window to the annexe is very low profile, minimising the visual impact. The remaining alterations involve the arrangement of existing doors and windows. The proportions of the proposed dwellings and amenity space are in character with the surrounding dwellings, particularly No's 5 and 7 Hilldown Road, which have smaller garden areas with non-standard layouts. Furthermore, the resultant residential density at 34 dwellings per hectare is slightly less than the range of 35-50 dwellings per hectare that is usually sought in such locations.

5.1.3 Loss of amenity to neighbouring occupiers including privacy, outlook and light

Response: The size and orientation of the proposed extension is sufficiently set back from neighbouring property at No.7 to ensure that, although it will be partially visible from this neighbouring property, any loss of light and outlook will be minimised and there would be no loss of privacy for these neighbouring occupiers.

The additional gable-end windows to the Barn, and the new dormer window to the Annexe will not cause an increase in overlooking for neighbouring properties No's 1 and 5 Hilldown Road, due to the line of sight being at oblique angles and similar to the existing overlooking situation. It is also worth noting that the rear windows of No.1 serve a non-habitable workshop and the windows of No. 5 are mostly screened by the existing brick boundary wall. The existing rooflight to the south-west elevation of the Barn is currently obscure glazed and set at minimum of 1.7m above internal floor level, so the existing opportunity for overlooking the first floor bathroom window of No.5 is restricted and this can be secured further by condition.

The new ground floor patio doors to the south-west elevation of the Annexe will be mostly screened by the existing boundary wall and fence, so there would be no issues of overlooking to No's 1, 12 and 14 Hilldown Road.

5.1.4 **Noise disturbance through domestic occupation and car movements**

Response: Although the nature of occupation of the buildings on site will change, and that there would be more out of hours movements on site, it is worth noting that the current lawful Builders Yard use is unfettered by conditions on operating hours and that domestic usage is considered to cause less disturbance than the storage and movement of building materials.

5.1.5 **Lack of privacy between the proposed dwellings**

Response: Whilst we recognise that the relationship on site is tight, there are clear benefits to the conversion to residential use on site, and it is worth noting that we have no front-to-front minimum separation distances in our Residential Design Guide. The distance between the two buildings is approximately 8m at its closest point. This is very similar to the front to front relationships in smaller roads within the city, for example the nearby Highcrown Mews and Highcrown Street which have 8.5m and 9m respectively. Furthermore, appropriate boundary treatment will ensure privacy to ground floor rooms within the dwellings.

5.1.6 **Lack of detail on the submitted plans, particularly regarding the attachment of the Annexe to The Farm House; the location of the boundary wall between No.7 and the application site; the location of windows and doors on the rear elevation facing No.7; and the proposed drainage arrangements.**

Response: The Farm House is attached to the Annexe building on the south-eastern boundary. This is shown correctly on the site plan and was clearly visible on the site visit. The way in which the buildings join does not affect the provision of the proposed internal layout of the annexe and no alterations are proposed to the external wall or roof to this elevation.

The location of the boundary wall to No.7 is shown correctly on the site plan in relation to the position of the proposed extension and was clearly visible on the site visit. In addition, the windows and doors referred to have been historically blocked up with brickwork internally, as viewed on the site visit, and there is no proposal to re-open these. This situation can be further secured by an Approved Plans condition.

The proposed alterations to the drainage provision on site can be agreed and secured at a later stage by condition and will be further secured via the subsequent approval process for Building Regulations.

5.1.7 **The conversion of the Annexe to a dwelling will compromise the 'detached' status of The Farm House and therefore devalue this neighbouring property.**

Response: The external appearance of the Annexe in relation to The Farm House will remain unchanged. Although the nature of occupation will change, the way in which the buildings are joined will not increase. In addition, the value of a property is not considered to be a material consideration for planning applications.

5.1.8 **Oil tanks on site (historic and current)**

Response: The safe removal of the existing oil tank and the investigation of possible historic contamination from previous oil tanks on site can be secured by condition. It is also worth noting that the current and historic oil tanks were self-contained units and there is no superficial visual evidence of previous contaminant leakage on site.

5.1.9 **Lack of detail and poor location for bin and cycle storage**

Response: The location of the bin storage is considered appropriate and further details will be sought by condition to ensure that the storage is enclosed to minimise visual impact and odour. There is sufficient amenity space to provide secure and convenient cycle storage on site and the detail of this can be secured by condition.

5.1.10 **Potential for future use as two independent units and HMO use.**

Response: Although the applicant is currently intending the 2 bed conversion as an annexe to the main 3 bed Barn conversion, this application is being assessed as two separate dwelling units, to ensure that the amenity of occupants and neighbouring residents is not harmed. Only the 3 bed conversion of the Barn could meet the definition of an HMO property and a future HMO use would require a separate application for planning permission.

5.2 **Consultation Responses**

5.2.1 **SCC Highways** – No objection. Recommend conditions to secure parking layout, further details on bin storage and collection arrangements and for secure cycle storage.

5.2.2 **SCC Environmental Health** – No objection, subject to conditions restricting bonfires on site and restricting hours for construction / demolition on site.

5.2.3 **SCC Contamination** – No objection, but requested a condition for investigation by desktop study, due to lack of information about how historic oil tanks were removed. Also requested conditions for unsuspected contamination and use of uncontaminated soils.

5.2.4 **SCC Historic Environment** – No objection.

5.2.5 **SCC Sustainability** – No objection.

5.2.6 **SCC Trees Team** – No objection, but request condition to require consultation if tree roots of more than 25mm diameter are found during excavation for the proposed extension.

5.2.7 **SCC CIL Officer** – The development is CIL liable as there is a net gain of residential units. The charge will be levied at £70 per sq. m (to be indexed) on the Gross Internal Area of the new units.

5.2.8 **Southern Water** – No objection, subject to a condition requiring details of surface water drainage.

6. **Planning Consideration Key Issues**

6.1 It is important to note that permitted development rights now exist for the conversion of buildings used for storage and distribution purposes, such as the application site, to residential use. These permitted development rights require the prior approval of the Local Planning Authority with respect to air quality for prospective occupiers, transport and highways, contamination, flooding, noise and the impact on service provision. Full planning permission is, however, required for the external works associated with the development.

Nonetheless, full planning permission has been sought for the development in its entirety and so the key issues for consideration, having regard to the permitted development options for the site, are:

- Principle of Development;
- Impact on Character and Amenity; and
- Impact on Highway Safety

6.2 Principle of Development

6.2.1 The proposal would make efficient use of a previously developed site to provide further residential accommodation to meet the city's needs. There is no specific designation for this site within the Local Plan and the conversion of this industrial site to residential use would be welcomed, given the surrounding residential properties. As such, there is no policy presumption against converting the existing buildings and, therefore, the proposal would be acceptable in principle. This is subject to the assessment of other planning considerations as set out below.

6.3 Impact on Character and Amenity

6.3.1 The size of the existing plot provides sufficient space for subdivision, where each dwelling would have access to good quality, private and usable amenity space and sufficient parking and access can be provided. The proposed scheme provides a 3 bed family dwelling and a smaller 2 bed dwelling in accordance with policy CS16, and national planning objectives to provide a mix and choice of homes. The scheme proposes conversion of the existing buildings with minor alterations to the external visual appearance, which is not considered to significantly alter the character and appearance of the local area.

6.3.2 As previously discussed in the responses above, although there will be an impact on the amenity of neighbouring occupiers, this is not judged to be significantly harmful and the overall benefits of converting this Builders Yard into residential accommodation are considered to outweigh any negative impacts of the proposal. In particular, there will be no significant increase in overlooking and the impact of the proposed extension to the Barn is not considered to be significantly harmful in terms of overshadowing, or creating an overbearing impact to No.7, due to the angle of view, the modest height and hipped roof design, and the fact that the extension is located away from the main patio area and rear elevation of No.7. It is also worth noting that the proposed extension is to the East of No.7, so would have a limited impact in terms of overshadowing.

6.4 Impact on Highway Safety

6.4.1 The Highway Officer has raised no concerns about the layout of the access and parking with regards to the impact on highway safety. The provision of 3 off street parking spaces is considered sufficient to serve the two dwellings and there is capacity on site for additional parking spaces in tandem, if necessary, without compromising vehicle movement on site. Therefore, although the 3 demarcated parking spaces would be below our maximum standard of 4 spaces, given the potential capacity for additional spaces on site, a parking survey was not considered necessary to support this application. As such, a refusal on the basis of the parking levels provided could not be justified given the nature of recent appeal decisions, where Inspectors have determined that it is the onus of the Council to demonstrate harm from the lack of off-street parking.

6.5 Other matters

6.5.1 The location of the bin storage is considered acceptable and further details of the enclosure and arrangements for collection day can be agreed by condition. There is ample space within the amenity area to provide secure and convenient storage for cycles, and the detail of this can also be secured by condition.

6.5.2 In addition, conditions can also be applied to secure details for the removal of the existing oil tank; investigation of potential contamination from historic oil tanks; the proposed drainage scheme for managing surface water and rainwater run-off;

protection of the Bay tree within the garden of No.7

- 6.5.3 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 £176 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.
- 6.5.4 At the time of writing this report, the applicant has been made aware of the need to secure the necessary contribution towards SDMP.

7. Summary

- 7.1 In summary, a balanced view has been taken, and the clear benefits of the scheme have been found to outweigh the negatives. Although it will have an impact on neighbouring amenity, the proposal is not judged to cause significant harm with regards to the considerations discussed above. In addition, the size of the site is considered to be able to accommodate a subdivision of the amenity space needed for the two new dwellings, which would contribute to the city's housing need.

8. Conclusion

- 8.1 In conclusion, the proposal is considered to be acceptable in accordance with the Council's policies and guidance.

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), (g), (vv), 6(a), (b), 7(a)

AC for 15/11/16 PROW Panel

PLANNING CONDITIONS

01. Full Permission Timing Condition

The development hereby permitted shall begin no later than three years from the date on which this planning permission was granted.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

02. Materials to match (Performance)

The materials and finishes to be used for the external walls, windows (including recesses), drainage goods and roof in the construction of the extension to the Barn and the dormer window to the annexe building hereby permitted shall match in all respects the type, size, colour, texture, form, composition, manufacture and finish of those on the existing building.

Reason: To enable the Local Planning Authority to control the development in detail in the interest of the visual amenities of the locality and to endeavour to achieve a building of high visual quality and satisfactory visual relationship of the new development to the existing.

03. Parking (Pre-Occupation)

The parking and access shall be provided in accordance with the plans hereby approved before the development first comes into occupation and thereafter retained as approved.

Reason: To prevent obstruction to traffic in neighbouring roads and in the interests of highway safety.

04. Landscaping & means of enclosure detailed plan (Pre-Commencement)

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

- i. Means of enclosure, hard surfacing materials, car parking layouts, other vehicle and pedestrian access and circulations areas;
- 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. This shall include 2 trees of suitable species and size;
- iii. details of any proposed boundary treatment, including retaining walls.

The approved hard and soft landscaping scheme (including parking and boundary treatment) 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, with the exception of the boundary treatment which shall be retained for the lifetime of the development.

Any trees, shrubs, seeded or turfed areas which die, fail to establish, are removed or become damaged or diseased, within a period of 5 years from the date of planting shall be replaced by the Developer in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation. The Developer shall be responsible for any replacements for a period of 5 years from the date of planting.

Reason: To improve the appearance of the site and enhance the character of the development in the interests of visual amenity, to ensure that the development makes a positive contribution to the local environment and, in accordance with the duty required of the Local Planning Authority by Section 197 of the Town and Country Planning Act 1990

05. Surface / foul water drainage (Pre-Commencement)

No development approved by this permission shall commence until a scheme for the disposal of foul water and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the agreed details and be retained as approved.

Reason: To ensure satisfactory drainage provision for the area.

06. Land Contamination investigation and remediation (Pre-Commencement & Occupation)

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 scheme 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.

07. Refuse & Recycling (Pre-Commencement)

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

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

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

08. Cycle storage facilities (Pre-Commencement)

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

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

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

All works relating to the demolition, clearance and construction of the development hereby granted shall only take place between the hours of:

Monday to Friday 08:00 to 18:00 hours

Saturdays 09:00 to 13:00 hours

And at no time on Sundays and recognised public holidays.

Any works outside the permitted hours shall be confined to the internal preparations of the buildings without audible noise from outside the building, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of the occupiers of existing nearby residential properties.

10. Bonfires (Performance)

No bonfires are to be allowed on site during the period of demolition, clearance and construction.

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

11. Unsuspected Contamination (Performance)

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. The development shall proceed in accordance with the agreed details unless otherwise agreed in writing by 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.

12. Use of uncontaminated soils and fill (Performance)

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. Off-site Tree Protection (Performance)

Upon commencement of excavation works on site for the extension to the Barn conversion hereby approved, the Local Authority must be notified. If tree roots above 25mm in diameter are found during excavation, then the Local Authority is to be consulted further to agree a working plan. Any roots of less than 25mm diameter found during excavation works can be cleanly cut with a saw.

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

14. Obscure Glazing (Performance)

The rooflight window in the south-east elevation of the Barn conversion hereby approved shall be obscure glazed and shall be fixed shut up to a height of 1.7 metres from the internal floor level before the development is first occupied. The windows shall be thereafter retained in this manner.

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

15. Residential - Permitted Development Restriction (Performance)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any Order amending, revoking or re-enacting that Order, no building or structures within Schedule 2, Part 1, Classes as listed below shall be erected or carried out to any dwelling house hereby permitted without the prior written consent of the Local Planning Authority:

Class A (enlargement of a dwelling house), including a garage, or extensions, and the installation of windows/fenestration,

Class B (roof alteration),

Class C (other alteration to the roof)

Reason: In order that the Local Planning Authority may exercise further control in this locality given the specific circumstances of the application site and in the interests of the comprehensive development and visual amenities of the area.

16. Approved Plans (Performance)

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

Reason: For the avoidance of doubt and in the interests of proper planning.

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS4	Housing Delivery
CS5	Housing Density
CS13	Fundamentals of Design
CS19	Car and Cycle parking
CS20	Sustainability
CS22	Biodiversity
CS25	The Delivery of Infrastructure and Developer Contributions

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

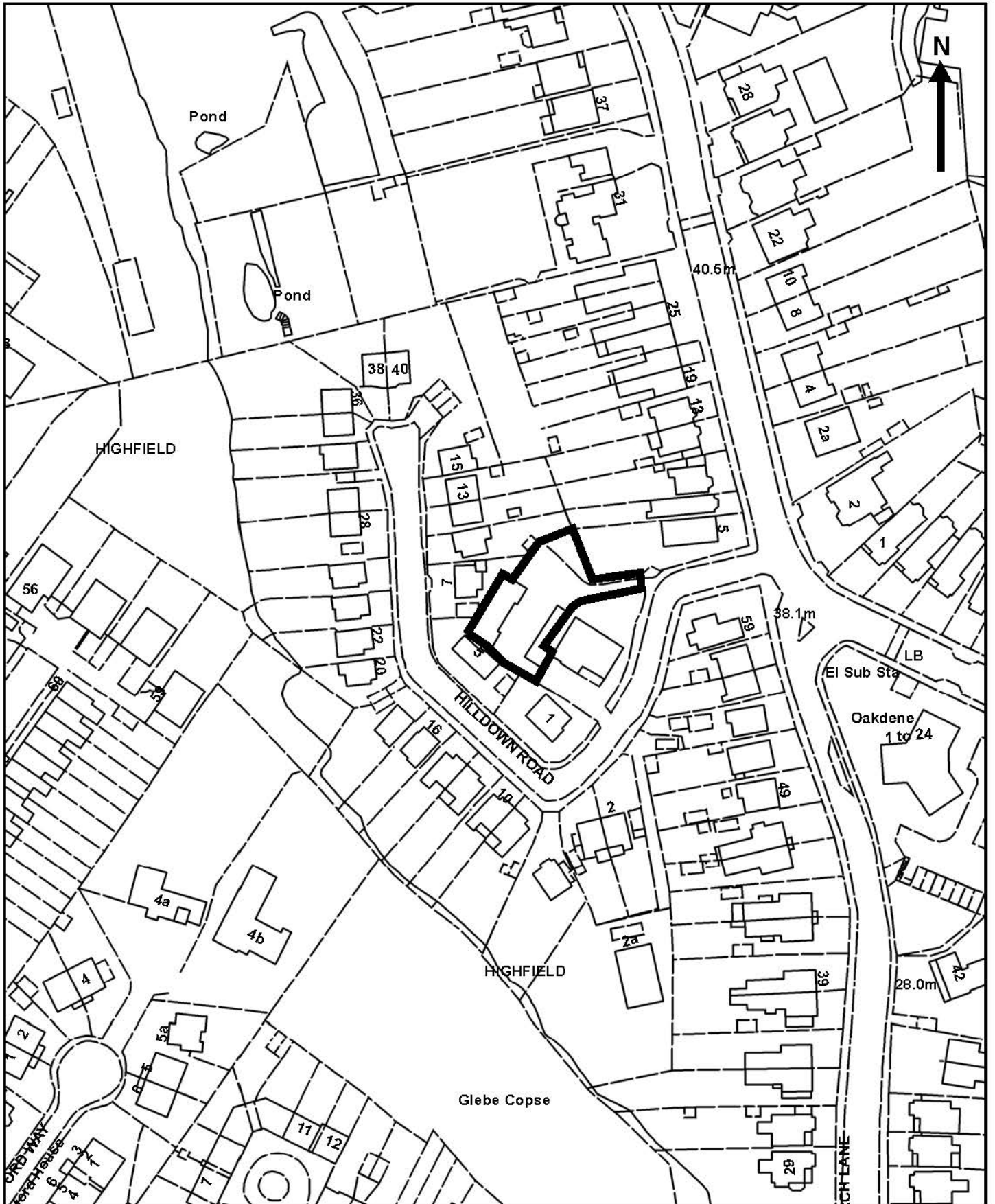
SDP1	Quality of Development
SDP5	Parking
SDP7	Context
SDP9	Scale, Massing & Appearance
SDP10	Safety and Security
SDP12	Landscaping
NE4	Protected Species
H1	Housing supply
H2	Previously developed land
H5	Conversion to Residential Use
H7	Residential environment

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)
Planning Obligations (Adopted - September 2013)
Parking Standards SPD (September 2011)

Other Relevant Guidance

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



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