

Southampton City Planning & Sustainability
Planning and Rights of Way Panel meeting 24 July 2012
Planning Application Report of the Planning and Development Manager

Application address: Thornhill Housing Office, Tatwin Crescent, SO19 6JT			
Proposed development: Erection of 9 two-storey houses (5 x 3 Bedroom, 4 x 2 Bedroom) with associated access and parking			
Application number	12/00584/FUL	Application type	FUL
Case officer	Richard Plume	Public speaking time	5 minutes
Last date for determination:	10.07.2012	Ward	Bitterne
Reason for Panel Referral:	Referred by the Planning and Development Manager due to wider public interest	Ward Councillors	Cllr Letts Cllr Lloyd Cllr Stevens

Applicant: Bdw Southampton	Agent: Luken Beck Ltd
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Recommendation Summary	Delegate to Planning and Development Manager to grant planning permission subject to criteria listed in report
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Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and planning permission should therefore be granted.

Policies - SDP1, SDP5, SDP7, SDP9, SDP10, SDP13, SDP22, HE6, CLT5, H1, H2 and H7 of the City of Southampton Local Plan Review (March 2006) and Policies CS4, CS6, CS13, CS15, CS16, CS19, CS20, CS21 and CS25 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

Appendix attached			
1	Development Plan Policies		

Recommendation in Full

1) Delegate to the Planning and Development Manager to grant planning permission subject to the completion of a S.106 Legal Agreement to secure:

- i. Financial contributions towards site specific highway improvements in the vicinity of the site in line with Policy SDP4 of the City of Southampton Local Plan Review (March 2006), policies CS18 and CS25 of the adopted LDF Core Strategy (2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended);

- ii. A financial contribution towards strategic transport improvements in the wider area as set out in the Local Transport Plan and appropriate SPG/D;
- iii. Financial contributions towards the relevant elements of open space required by the development in line with policies CLT5, CLT6 of the City of Southampton Local Plan Review (March 2006), Policy CS25 of the adopted LDF Core Strategy (2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended);
- iv. Submission of a highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer.

2) That the Planning and Development Manager be given delegated powers to vary relevant parts of the Section 106 agreement and to vary, delete or add conditions as necessary.

3) In the event that the legal agreement is not completed by end of September 2012 the Planning and Development Manager be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.

1. The site and its context

1.1 The application site, 0.15 hectares in area, is situated on the west side of Tatwin Crescent near the junction with Hinkler Road. The site is currently occupied by a single-storey building used as a Local Housing Office for the Council with associated car parking. Blocks of flats on the Thornhill estate adjoin to the north and south; an area of open space is directly opposite; Jewsons Builders Merchants, part of the former Antelope House site, adjoins to the west.

2. Proposal

2.1 The current application proposes the redevelopment of the site to provide 9 two-storey houses. The development of the site is connected with the Hinkler Road estates regeneration scheme. That development is now well advanced and the housing office will relocate from Tatwin Crescent once the community centre building on Hinkler Road has been completed.

2.2 The proposed houses would be 4 x two bedroom and 5 x three bedroom with a central vehicular access from Tatwin Crescent. A total of 15 car parking spaces would be provided. The proposed external materials would be a red/brown multi-stock facing brick with artificial slate roof and white uPVC windows. Two trees would be removed on the Tatwin Crescent frontage. The density of the development would be 60 dwellings per hectare.

3. Relevant Planning Policy

3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (March 2006) and the City of Southampton Core Strategy (January 2010). Having regard to paragraph 214 of the National Planning Policy Framework dated 27 March 2012 the policies set out in Appendix 1 which have been adopted since 2004 retain their full material weight for decision making purposes.

3.2 Major developments are expected to meet high sustainable construction

standards in accordance with the City Council's adopted and emerging policies (Core Strategy Policy CS20 and Local Plan "saved" Policy SDP13).

4. Relevant Planning History

- 4.1 The only relevant planning history is the planning permission granted in March 2010 for the Hinkler Parade redevelopment of which this site forms part. That permission (reference 09/01136/FUL) was for redevelopment of the sites with 2, 3 and 4-storey buildings to provide retail, hot food take away units (Class A1 or A5), a community centre and 106 dwellings. The Tatwin Crescent part of the development was for 7x 3-bedroom houses. This development is nearing completion and once the community centre has been handed over the housing office will relocate.

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 (07.06.2012). At the time of writing the report **22** representations have been received from surrounding residents. 21 of these letters are in a standard format. The grounds of objection are:

- The area is already densely developed with limited availability of parking spaces and double yellow lines. Adding more housing to this area will have a knock on effect of crime, noise and parking issues for existing residents. Parking problems in the area mean that the office car park has to be used as overflow parking during the evenings.

Response

The previously approved scheme for this site was for 7 houses with 7 parking spaces. The current application is for 9 houses with 15 parking spaces. This is a reasonable level of provision given the current standards which allow for a maximum of 18 spaces

- The proposal would result in the loss of attractive mature trees which are of amenity value and should be retained.

Response

The two trees to be removed are the same as with the previously approved scheme and so their loss has already been accepted. The Council's Tree Officer is considering making a Tree Preservation Order on the remaining trees that are currently on Council land as that land will subsequently pass to the developer.

- 5.2 **SCC Highways** - There is no objection to the layout or car parking arrangements subject to conditions.
- 5.3 **SCC Trees Team** – The current tree survey is slightly outdated (Jul 09) and it does not include significant off-site trees that may be implicated during the development (site storage area, parking etc) so I would recommend an updated tree survey and to provide a Tree Protection Plan alongside the method statement to protect the trees to be retained. A condition covering an Arboricultural Method

Statement should be imposed.

5.4 **SCC Sustainability Team** – The applicant states in the design and access statement that the development will be designed to meet code level 4. This is in accordance with policy and can be secured by imposing conditions.

5.5 **SCC Environmental Health (Contaminated Land)** - Annex 2 of PPS23 considers the proposed land use as being sensitive to the affects of land contamination. Records maintained by SCC - Environmental Health Services indicate that the subject site is located on/adjacent to the following existing and historical land uses; - Gravel Pit (40m to SW) This land use is associated with potential land contamination hazards. There is the potential for these off-site hazards to migrate from source and present a risk to the proposed end use, workers involved in construction and the wider environment. Therefore, to ensure compliance with Annex 2 of PPS23 and policies SDP1 and SDP22 of the City of Southampton Local Plan Review (adopted version, March 2006) this department would recommend that the site be assessed for land contamination risks and, where appropriate, remediated to ensure the long term safety of the site. Planning conditions are recommended.

6.0 **Planning Consideration Key Issues**

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

- The principle of this development and the form and mix of dwellings proposed.
- Design issues
- Transport and Parking
- Environmental issues including trees and sustainability issues
- Section 106 considerations

6.2 **Principle of Development**

The principle of a residential development on this site, with the housing office relocating to Hinkler Parade, has been established through the previous planning permission. The main issue here therefore is the form and layout of the scheme and the increase in the number of dwellings. The proposed change to the mix of the dwellings will not affect the overall balance of family housing across the two sites which exceeds the normal policy requirement. Affordable housing in excess of the 35% policy requirement has already been secured on the Hinkler Road site. There would be no net loss of open space on this site.

6.3 **Design**

The amended scheme increases the number of dwellings by two because the demand in the area is considered to be stronger for smaller sized houses. The resulting layout is for smaller plots but the garden sizes generally comply with the normal standards. The revised layout results in more houses fronting Tatwin Crescent in a conventional way than with the previous scheme. The proposed houses are of a simple contemporary design which is considered to be acceptable in this location.

6.4 Transport and Parking

The vehicular access to the site is in a very similar position to the existing and the drawings have been amended to allow two vehicles to pass each other at the entrance to the site. The car parking arrangements allow for an average of 1.6 spaces per dwelling which is close to the maximum allowable under the standards. It would not be possible to increase the amount of car parking on a site of this nature whilst also allowing trees to be retained and gardens of a reasonable size to be provided. Local residents may have become used to parking within the car park of the housing office at evenings and weekends but this cannot be used as a reason for leaving the site undeveloped.

6.5 Trees and sustainability

The more important trees on the site will be retained and protected. The two trees to be removed are the same as with the previous scheme and there will be additional tree planting with a new landscaping scheme. The development will meet Level 4 of the Code for Sustainable Homes which is welcomed and in accordance with policy.

7. Summary

7.1 This application is not significantly different from the previously approved scheme. It will allow a good balance between family and smaller sized houses to meet a known demand in the area. The layout, design and car parking arrangements are satisfactory. The previous Section 106 agreement covering this site and Hinkler Road will need to be varied to take account of this revised application.

8. Conclusion

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

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1(a), 1(b), 1(c), 1(d), 2(b), 2(d), 4(f), 4(g), 4(vv), 6(a), 6(c), 7(a), 8(a), 8(j) and 9(a).

RP2 for 24/07/2012 PROW Panel

PLANNING CONDITIONS

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

The development works hereby permitted shall begin not later than three years from the date on which this planning permission was granted.

Reason:

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

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

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

Reason:

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

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

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

- i. proposed finished ground levels or contours; means of enclosure; car parking layouts; other vehicle pedestrian access and circulations areas, hard surfacing materials, structures and ancillary objects (refuse bins, lighting columns etc.);
- ii. planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate;
- iii. an accurate plot of all trees to be retained and to be lost. Any trees to be lost shall be replaced on a favourable basis (a two-for one basis unless circumstances dictate otherwise);
- iv. details of any proposed boundary treatment, including retaining walls; 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 and, in accordance with the duty required of the Local Planning Authority by Section 197 of the Town and Country Planning Act 1990

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

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

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

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

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

Reason:

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

05. APPROVAL CONDITION - Use of uncontaminated soils and fill [Pre-Commencement Condition]

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

Reason:

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

06. APPROVAL CONDITION- Unsuspected Contamination [Performance Condition]

The site shall be monitored for evidence of unsuspected contamination throughout

construction. If potential contamination is encountered that has not previously been identified no further development shall be carried out unless otherwise agreed in writing by the Local Planning Authority.

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

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

Reason:

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

07. APPROVAL CONDITION - Code for Sustainable Homes [Pre-Commencement Condition]

Before the development commences, written documentary evidence demonstrating that the development will achieve at minimum Level 4 of the Code for Sustainable Homes in the form of a design stage assessment, 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).

08. APPROVAL CONDITION - Code for Sustainable Homes [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 Level 4 of the Code for Sustainable Homes in the form of post construction assessment and certificate as issued by a legitimate Code for Sustainable Homes certification body 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).

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

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

Reason:

In the interests of highway safety.

10. APPROVAL CONDITION - No Pile Driving for Foundations [Performance Condition]

No percussion or impact driven piling activities shall take place for pre-works, foundations, or as any part of the development.

Reason:

In the interests of securing the stability of the site and adjacent land in order to protect the amenities of occupiers of nearby properties.

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

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

Monday to Friday 08:00 hours to 18:00 hours (8.00am to 6.00pm)

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

And at no time on Sundays and recognised public holidays.

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

Reason:

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

12. APPROVAL CONDITION - Layout of Car Parking/ Servicing (Pre-Occupation Condition)

The whole of the car parking, cycle storage and servicing facilities shown on the approved plans shall be laid out and made available before the use of the building to which these facilities relate commences and thereafter retained solely for the use of the occupants and visitors to the site and for no other purpose.

REASON

To ensure adequate on-site parking and servicing facilities and to avoid congestion in the adjoining highway.

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

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

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

Reason

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

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

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

Reason:

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

15. APPROVAL CONDITION - Storage / Removal of Refuse Material [Pre-Occupation Condition]

Before the buildings are first occupied full details of facilities to be provided for the storage and removal of refuse from the premises together with the provision of suitable bins accessible with a level approach shall be submitted to and approved in writing by the Local Planning Authority. The facilities shall include accommodation and the provision of separate bins for the separation of waste to enable recycling. The approved refuse and recycling storage shall be retained whilst the buildings are used for residential purposes.

Reason:

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

16. APPROVAL CONDITION - Residential - Permitted Development Restriction [Performance Condition]

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), 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,

Class B (roof extension)

Reason:

In order that the Local Planning Authority may exercise further control in this locality given the small private garden and amenity areas provided as part of this development in the interests of the comprehensive development and visual amenities of the area.

17. APPROVAL CONDITION - No other windows or doors other than approved [Performance Condition]

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any order amending, revoking or re-enacting that Order), no windows, doors or other openings including roof windows or dormer windows other than those expressly authorised by this permission shall be inserted in the eastern elevation of the house shown as Plot 08 on the approved drawing without the prior written consent of the Local Planning Authority.

Reason:

To protect the amenities of the adjoining residential properties.

18. APPROVAL CONDITION - Approved Plans

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

Reason:

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

POLICY CONTEXT

Core Strategy - (January 2010)

CS4	Housing Delivery
CS6	Housing Density
CS13	Fundamentals of Design
CS15	Affordable Housing
CS16	Housing Mix and Type
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS21	Protecting and Enhancing Open Space
CS25	The Delivery of Infrastructure and Developer Contributions

City of Southampton Local Plan Review – (March 2006)

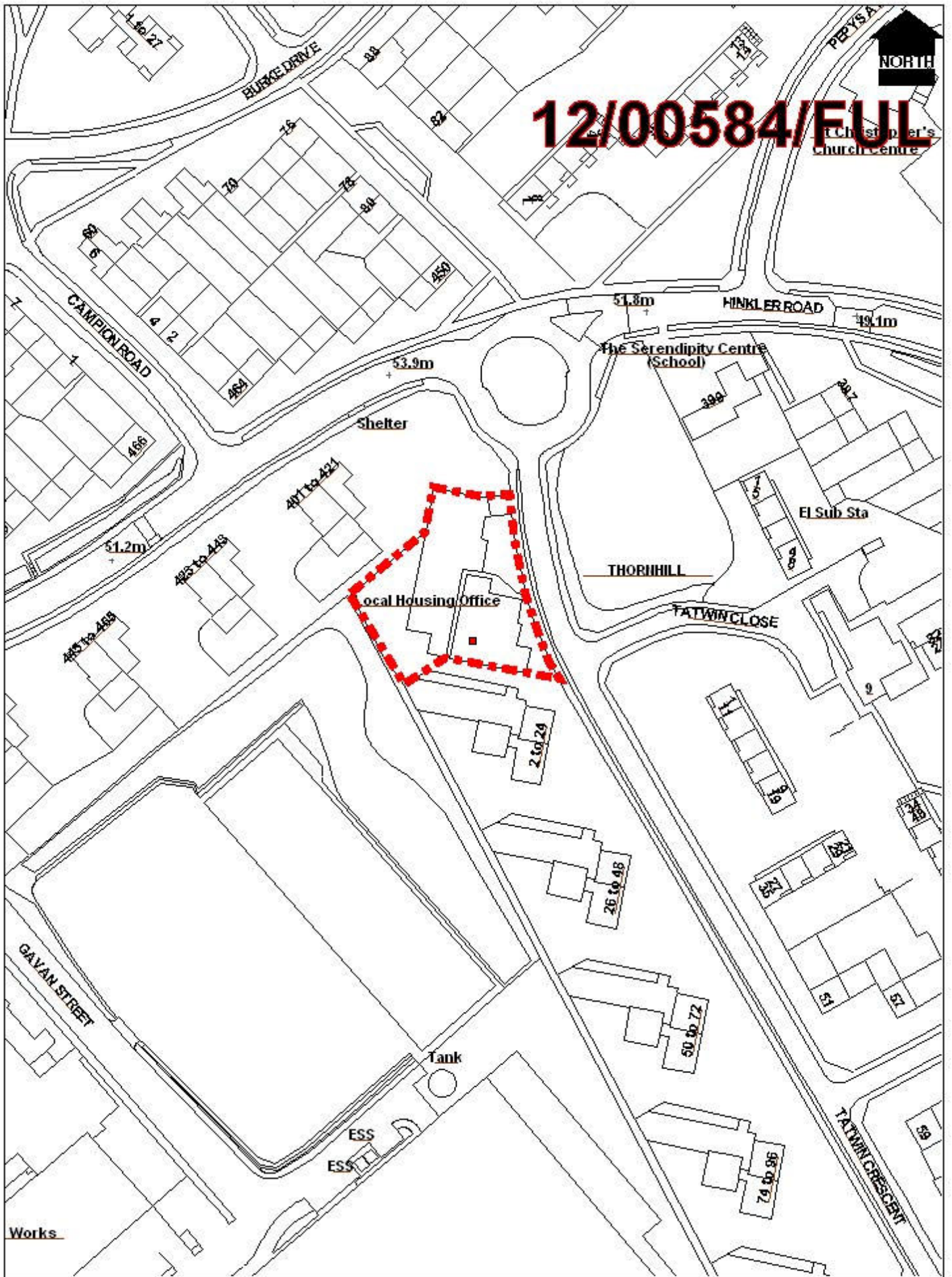
SDP1	Quality of Development
SDP5	Parking
SDP7	Urban Design Context
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP13	Resource Conservation
SDP14	Renewable Energy
SDP22	Contaminated Land
HE6	Archaeological Remains
CLT5	Open Space in New Residential Developments
CLT6	Provision of Children's Play Areas
H1	Housing Supply
H2	Previously Developed Land
H7	The Residential Environment

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)
Planning Obligations (Adopted - August 2005 and amended November 2006)
Parking Supplementary Planning Document (2011)

Other Relevant Guidance

National Planning Policy Framework (March 2012)



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Scale : 1:1250

Date : 12 July 2012

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