

Southampton City Planning & Sustainability
Planning and Rights of Way Panel meeting 21 August 2012
Planning Application Report of the Planning and Development Manager

Application address: 1 -3 Coates Road SO19 0HN			
Proposed development: Erection Of 3 X 3 Bedroom Houses To Rear Of 1-3 Coates Road With Associated Car Park (Outline Application Seeking Approval For Access, Layout And Scale).			
Application number	12/00756/OUT	Application type	OUT
Case officer	Bryony Stala	Public speaking time	5 minutes
Last date for determination:	06.08.2012	Ward	Bitterne
Reason for Panel Referral:	Referral by the Planning and Development Manager	Ward Councillors	Cllr Stevens Cllr Lloyd Cllr Letts

Applicant: Mrs Julia Perry	Agent: Mr Steven Nicholls
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Recommendation Summary	Conditionally approve
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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 including the impact on the character of the street scene, car parking, the number and layout of units, the amenity and privacy of adjacent occupiers and the residential environment created 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 outline planning permission should therefore be granted.

Policies - SDP1, SDP5, SDP7, SDP9, H1 and H2 of the City of Southampton Local Plan Review (March 2006).

Policies- CS4, CS13, CS16, CS19 and CS20 of the Core Strategy 2010.

Appendix attached			
1	Development Plan Policies		

Recommendation in Full

Conditionally approve

1. The site and its context

1.1 The application site is 554 sqm of land currently in use as the garden for 1 and 3 Coates Road. 1 and 3 Coates Road are detached bungalows set within a small Cul- de-sac accessed via Coates Road.

1 Coates Road is a corner plot, the front of the dwelling fronts the Cul-de-Sac with the side (western) elevation of the property forming the boundary with Coates Road.

- 1.2 Coates Road is characterised by a mix of detached, semi-detached and terraced two storey housing. The Bungalows at 1 – 4 Coates Road are the only single storey dwellings in the immediate area. The houses within Ivy Dene at the rear of the site are two storeys in height.
- 1.3 Traffic regulations are in place within Coates Road with double yellow lines on north-eastern side
- 1.4 The site is located within an area of low accessibility. The nearest bus stops are at the junction with Bursledon Road or within Montague Avenue.

2. Proposal

- 2.1 The application seeks outline planning consent for the erection of a terrace of three x three bedroom houses within the gardens of 1 and 3 Coates Road. The only matters reserved for future consideration are appearance and landscaping.
- 2.2 The application is a resubmission of a scheme refused in March under delegated authority this year (reference 11/01949/OUT). The reasons for refusal are included in section 4 of this report.
The following is a summary of the key differences between the schemes:
 - Reduction in the number of units from 4 to 3.
 - Reduction in the scale and mass of the roof including the removal of front and rear dormer windows to the rear elevation.
 - Reconfiguration of the roof form from gable to hipped.
 - Reduction in the width of the building by 5m.
 - Increase of width between proposed dwellings and 1 and 3 Coates Road to 12.5m.
 - Retention of a 10m garden depth for 1 and 3 Coates Road.
- 2.3 The proposed houses are two storeys in height, each has its own private garden area of approximately 60m².
- 2.4 The development would be served by five off road car parking spaces to be accessed from Coates Road. Cycle storage is provided within the rear gardens of each dwelling and purpose built refuse stores are located to the front of the site.
- 2.5 The developer aims to achieve Code for Sustainable Homes Level 4/5. This will be achieved through the use of timber frame form of construction and solar thermal to the front elevation of the roof.

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 (March 2006) and the City of Southampton Core Strategy (January 2010). The most relevant policies to these proposals are set out at **Appendix 1**.

3.2 Policy CS4 of the adopted Core Strategy identifies that in order to meet sufficient housing provision within the city, homes will generally need to be built at higher densities, be more energy efficient, and use more sustainable building methods.

3.3 Furthermore, developments are expected to meet high sustainable construction standards in accordance with adopted Core Strategy Policy CS20 and Local Plan “saved” Policy SDP13.

4.0 Relevant Planning History

4.1 11/01949/OUT - Erection of 2 storey terrace of 4 x 3 bedroom houses with dormers to front and rear to facilitate use of loft space with associated refuse store (Outline application seeking approval for access, layout and scale). REF – 05.03.2012.

1. Refusal Reason: Overdevelopment

Although the design of the proposed scheme is a reserved matter, the principle of a terrace of four dwelling houses is considered to be an over-intensive use of the site. This would be by reason of its height, scale, the introduction of dormer windows to the front and rear elevations, the inability to retain a sufficient garden depth for and appropriate spacing between the rear of 1 and 3 Coates Road. the proposed development, would result in a development that is out of keeping with the existing spatial character of the street scene and have an over dominant and overbearing impact neighbouring dwellings, to the detriment of their existing residential amenity. As such, the development would not accord with policies SDP1 (i), SDP7 (i,ii,iv), SDP9(i, v) of the City of Southampton Local Plan Review and CS5 and CS13 (1, 7 and 11) of the adopted Core Strategy (January 2010).

2. Refusal Reason: Loss of Privacy

The proposed development would result in an un-neighbourly form of development by reason of its failure to meet minimum back to back privacy distances. These are 28m, (when measured from the rear dormer windows), as set out in paragraph 2.2.4 of the adopted Residential Design Guide (September 2006). Furthermore, the third storey of accommodation would give rise to the direct overlooking of gardens to the rear of the site. This would be to the detriment of the level of privacy currently enjoyed by the occupiers of neighbouring dwellings and in particular 30, 37 and 39 Ivy Dene. As such, the development would not accord with policies SDP1 (i - particularly paragraph 2.2.1- 2.2.4 of the Residential Design Guide [September 2006]), SDP7 (v), SDP9 (v) and H2 (iii) of the City of Southampton Local Plan Review (March 2006), CS13 (11) of the adopted Local Development Core Strategy Framework (January 2010).

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 also undertaken which included notifying adjoining and nearby landowners and erecting a site notice on the 21.06.2012. At the time of writing the report 5 representations have been received from surrounding residents and a local ward councillor. A summary of planning related concerns are as follows:

- Residents of Ivy Dene are opposed to the development as it will infringe on privacy, cause unnecessary disruption, and be located in close proximity to the gardens of Ivy Dene.
- Residents feel the area is already overcrowded.
- The proposed development results in garden grabbing will result in the loss of green space within Coates Road and is an overdevelopment of the site.
- Coates Road is a narrow road which is already heavily trafficked and has a large number of cars parked along it. The pavement is often blocked by cars parked along it. This results in difficulties driving along Coates Road and makes it unsafe for pedestrians.
- A reduction in the provision of four to three dwellings does not address the previous reasons for refusal.
- Local Communities have the power to say no to unsuitable over development of garden land as per the 2010 change in the classification of garden land in PPS3.
- The proposal would exasperate current problems and be contrary to SCC policies.
- Further loss of garden will exacerbate the threat to native wildlife.

5.2 **SCC Highways** – No objections.

5.3 **SCC Sustainability Team** – No objection subject to the imposition of conditions requiring compliance with Code for Sustainable Homes Level 4.

5.5 **SCC Trees** – No objection subject to the imposition of a condition relating to the submission of a tree protection plan.

5.6 **SCC Archaeology** – No objection.

6.0 Planning Consideration Key Issues

6.1 The application needs to be assessed in light of the following key issues and particularly in terms of whether or not the reasons for refusing application 11/01949/OUT have been overcome.

Key issues:

- Principle of Development
- Design and Residential Amenity
- Parking and Highway Safety Issues

6.2 Principle of Development

6.2.1 The proposal would involve the development of garden land. The National Planning Policy Framework states that local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens where development would cause harm to the area (para 53 refers).

6.2.2 Where it can be demonstrated that the existing character is not harmed and the contribution that the garden makes is limited to the character of that site and/or area, planning applications for development on garden land should be considered with regard to the context and character of the surrounding area.

6.2.3 In terms of its spatial context, the existing gardens are much larger than those of

neighbouring dwellings. The ability of the proposed dwellings to address the street frontage of Coates Road means that the existing building line and established pattern of development can be continued without adversely affecting the character of Coates Road. The principle of development on garden land is therefore accepted subject to the proposals compliance with adopted policy and design standards.

6.2.4 Policy CS5 of the adopted Core Strategy advocates that net density levels in low accessibility areas should generally be between 35 – 50dph.

6.2.5 When assessing the appropriate density of a site, it is important to ensure that the best use of land is being made to create good quality residential dwellings. The density of the development must be considered in relation to its ability to comply with adopted policy and residential amenity standards such as garden depth/provision and privacy distances. The proposed density of development is 54 dph. This is considered to be acceptable.

6.3 Design and Residential Amenity

6.3.1 The layout and orientation of the properties facing Coates Road creates a street frontage and is considered the most appropriate way in achieving additional development on this site.

6.3.2 In terms of addressing the previous reasons for refusal, the reduced scale and massing of the terrace and the removal of dormer windows to the front and rear of the building results in a scale of development that is more akin to neighbouring dwellings. A condition is recommended to secure this form of development.

6.3.3 The profile of the roof and the proportions of the terrace replicate similar developments along Coates Road. The build line respects the existing street scene and the design picks up on the predominant character of properties in the immediate area.

6.3.4 At this stage the external appearance is reserved for later consideration. Indicative designs have been submitted. These show a relatively bland and simple elevation treatment. This can be improved through the reserved matters submission.

6.3.5 All residential amenity standards are met to at least a minimum.

6.3.6 Following the removal of the rear dormer windows the standard privacy distance of 21m is now met between the proposed dwellings and the properties of Ivy Dene, as required by paragraph 2.2.4 of the adopted Residential Design Guide (September 2006). The ability of the development to meet minimum privacy distances will mitigate against any undue overlooking to neighbouring dwellings.

6.3.7 A gap of 12.5m is retained between 1 and 3 Coates Road and the proposed dwellings as required by paragraph 2.2.7 of the Residential Design Guide.

6.3.8 Garden depths of 10m are provided for the proposed housing, as well as being retained for 1 and 3 Coates Road, in accordance with paragraph 2.3.14 of the Residential Design Guide. In addition, an adequate amount of private and usable amenity space is provided.

6.4 Parking and Highway Safety Issues

- 6.4.1 Residents concerns regarding the provision of parking provided and the implications the development may have on highway safety in the immediate vicinity have been given due consideration in the assessment of the application.
- 6.4.2 Sufficient access and parking can be afforded on site for future occupants in accordance with the Council's adopted maximum parking standards.
- 6.4.3 Each dwelling will be provided with at least one off road car parking space, whilst two of the dwellings will have two parking spaces. Whilst this may lead to a car dominated frontage it addresses the concerns of neighbours as far as possible.
- 6.4.4 It is the view of the Highways Development Management team that the proposal will not have an adverse impact on highway safety within Coates Road. The layout of the site provides sufficient sightlines and safe access and egress to and from the parking spaces. The majority of dwellings within Coates Road have or potentially have forecourt parking, as does the proposed development. This means that the pressure for additional on street parking arising from this development will be limited.
- 6.4.5 Traffic control measures such as yellow lines are in place to restrict overspill parking.
- 6.4.6 A lamp post adjacent to the existing boundary wall fronting Coates Road would need to be removed in order to accommodate the parking for the proposed development.
- 6.4.7 There is sufficient space on site to provide refuse and cycle storage for future residents of the site and an appropriate external access to the rear of the site is provided.

7.0 Summary

- 7.1 The proposed development would make good use of the site to provide additional family housing within the city.
- 7.2 The three family homes proposed are of an appropriate density for the area. The revised design results in a development that respects the context and character of the immediate area without harming the residential amenity of neighbouring dwellings. The proposal meets the aspirations for additional homes within the city by meeting all residential amenity standards, as well as being constructed to be energy efficient. The application has addressed the previous reasons for refusal.

8.0 Conclusion

- 8.1 Subject to the imposition of the suggested conditions attached to this report, the proposal would be acceptable. The application is therefore recommended for approval.

1(a), 1(b), 1(c), 1(d), 2 (b), 2(d), 7(a)

BS for 21.08.2012 PROW Panel

PLANNING CONDITIONS

01. APPROVAL CONDITION - Outline Permission Timing Condition

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 and the scale, massing and bulk of the structure is approved subject to the following:

- (i) 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 appearance and architectural design specifying the external materials to be used,
 - and the landscaping of the site specifying both the hard, soft treatments and means of enclosures.
- (ii) 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
- (iii) The development hereby permitted shall be begun [either before the expiration of five years from the date of this Outline permission, or] before the expiration of two years from the date of approval of the last application of the reserved matters to be approved [whichever is the latter].

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. APPROVAL CONDITION - Approved Plans

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

Reason:

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

03. APPROVAL CONDITION - 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).

04. 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).

05. APPROVAL CONDITION - 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, 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

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

No development works shall be carried out unless and until a detailed schedule of materials and finishes including samples (if required by the LPA) to be used for external walls, windows, doors and the roof of the proposed buildings has been submitted to and approved in writing by the Local Planning Authority. Details shall include all new glazing, panel tints, stained weatherboarding, drainage goods, and the ground surface treatments formed. 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.

07. 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 development hereby permitted without the prior written consent of the Local Planning Authority.

Reason:

To protect the amenities of the adjoining residential properties.

08. 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 alteration),

Class C (other alteration to the roof),

Class D (porch),

Class E (curtilage structures), including a garage, shed, greenhouse, etc.,

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.

09. APPROVAL CONDITION – Pre-occupation provision (Pre-occupation Condition)

Prior to the first occupation of the approved development the parking, amenity provision, refuse and cycle storage as shown on the approved plans shall be made available and thereafter retained for that purpose at all times.

Reason

To ensure an appropriate standard of residential amenity and in the interests of highway safety.

10. APPROVAL CONDITION - Material Storage (Pre-Commencement Condition)

No work shall be carried out on site unless and until provision is available within the site, in accordance with details to be submitted to and approved in writing by the Local Planning Authority, for all temporary contractors buildings, plant and stacks of materials and equipment associated with the development and such provision shall be retained for these purposes throughout the period of work on the site. At no time shall any material or equipment be stored or operated from the public highway.

Reason:

To avoid undue congestion on the site and consequent obstruction to access.

11. APPROVAL CONDITION – Scale (Performance Condition)

Unless otherwise agreed in writing by the Local Planning Authority the development hereby approved shall be limited to two storeys of residential accommodation as shown on approve plan CR1/02.

Reason

To ensure the development respects the established pattern of development and meets residential amenity standards.

12. APPROVAL CONDITION – Lamp post removal (Pre-occupation condition)

Te lamp post adjacent to the application site must be removed and reinstated in a location to be agreed with the local planning authority prior to the first occupation of the dwellings hereby approved.

Reason

To enable access to the approved parking spaces and in the interest of maintain an appropriate amount of street lighting along Coates Road in the interests of health and safety.

13. 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.

14. 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.

POLICY CONTEXT

Core Strategy - (January 2010)

CS4	Housing Delivery
CS13	Fundamentals of Design
CS16	Housing Mix and Type
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change

City of Southampton Local Plan Review – (March 2006)

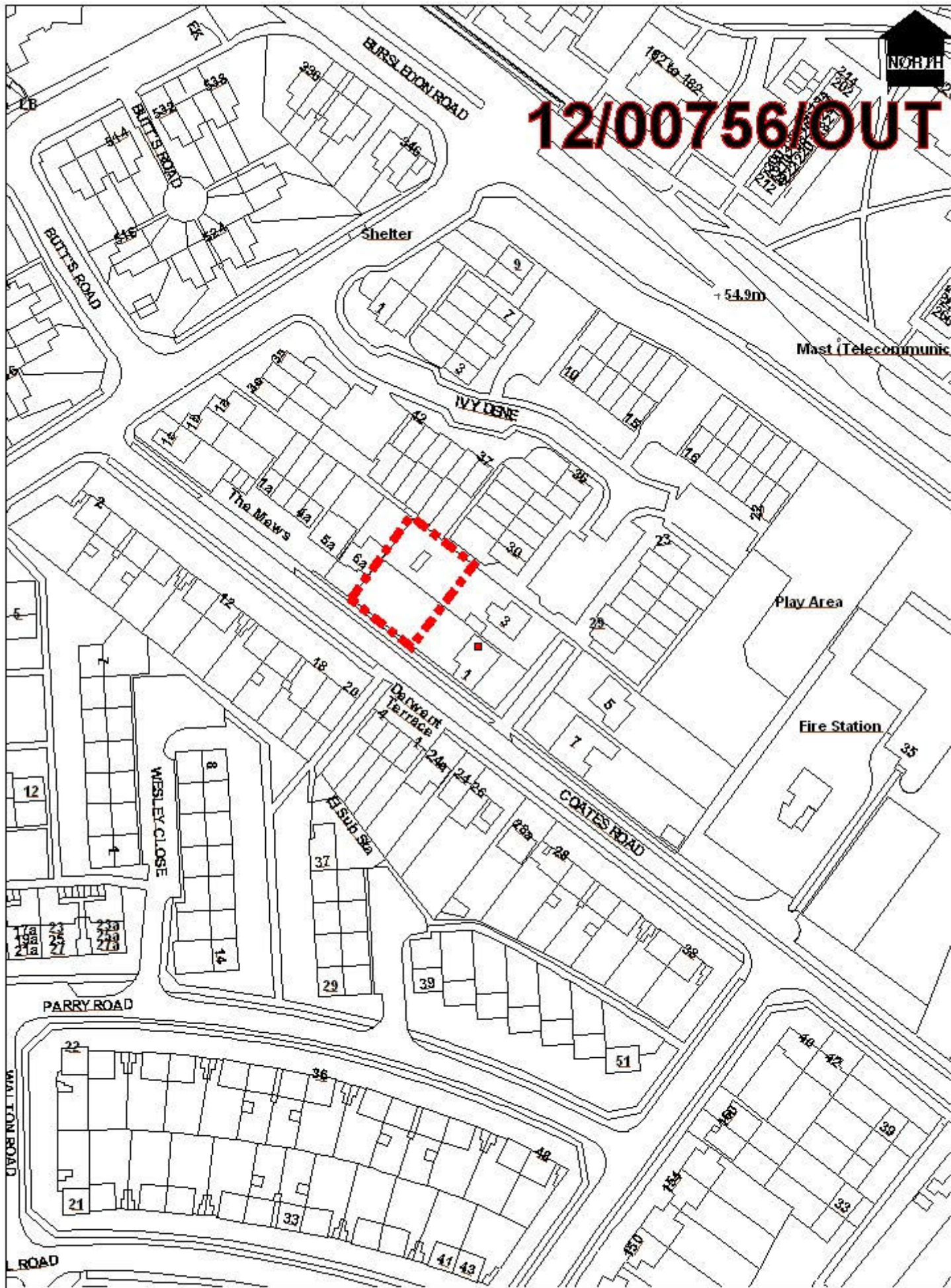
SDP1	Quality of Development
SDP5	Parking
SDP7	Urban Design Context
SDP9	Scale, Massing & Appearance
H1	Housing Supply
H2	Previously Developed Land

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)
Parking Standards SPD



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Scale : 1:1250

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