

Planning, Transport & Sustainability Division
Planning and Rights of Way Panel 18 September 2012
Planning Application Report of the Planning and Development Manager

Application address: Poor Clares Colettines Convent, Bracken Lane			
Proposed development: Application for reserved matters approval (relating to layout, scale, appearance and landscaping) for redevelopment of the site to provide 40 dwellings (6 flats, 2 maisonettes and 32 houses)			
Application number	12/01132/REM	Application type	REM
Case officer	Jenna Turner	Public speaking time	15 minutes
Last date for determination:	24.10.12	Ward	Shirley
Reason for Panel Referral:	Major Application with objections	Ward Councillors	Cllr Mead Cllr Kaur Cllr Chaloner

Applicant: Affinity Sutton & Tab Projects Ltd	Agent: Tony Oldfield Architects
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Recommendation Summary	Delegate to Planning and Development Manager to grant planning permission subject to criteria listed in report
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Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan and other guidance as set out below. Other material considerations such as those listed in the report to the Planning and Rights of Way Panel on the 18.09.12 do not have sufficient weight to justify a refusal of the application. The proposal closely follows the indicative plans approved by the outline planning permission and would be in keeping with the site and surrounding properties and would not have a harmful impact on the amenities of the neighbouring properties. Where appropriate planning conditions have been imposed to mitigate any harm identified. In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004, Planning Permission should therefore be granted taking account of the following planning policies:

“Saved” Policies – SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP11, SDP12, SDP13, H1, H2, and H7 of the City of Southampton Local Plan Review - Adopted March 2006 as supported by the adopted LDF Core Strategy (2010) policies CS3, CS4, CS6, CS13, CS15, CS16, CS18, CS19, CS20, CS21, CS22 and CS25 and the Council’s current adopted Supplementary Planning Guidance. The guidance within the National Planning Policy Framework (2012) is also relevant to the determination of this planning application.

Appendix attached			
1	Development Plan Policies	2.	Outline Planning Permission

Recommendation in Full

1. Delegate to the Planning and Development Manager to grant approval of the Reserved Matters subject to:

(i) the submission of satisfactory amended plans to improve the roofscape of the properties fronting Bracken Lane, the elevational treatment of plots 9 to 10 and to provide natural surveillance of the access and;

(ii) the submission of a satisfactory Ecological Mitigation Plan.

In the event that satisfactory amended plans and Ecology information are not submitted before the 3rd October 2012, the Planning and Development Manager be authorised to refuse permission.

2. Delegate to the Planning and Development Manager to vary any sections of the Section 106 Agreement of the outline planning permission on the grounds of economic viability and to delete, vary or add to the conditions attached to this permission.

1. The site and its context

1.1 The application site comprises a vacant convent and its associated buildings and grounds. The main convent building is a 3-storey Victorian property located towards the centre of the site. The site is accessed from Bracken Lane and the northern boundary is demarcated by a two-metre high concrete block wall. There is a change in levels across the site, with the land banking down towards the southern site boundary. The site contains a number of mature trees which are subject to a Tree Preservation Order.

1.2 The surrounding area is residential in nature and typically comprises semi-detached, and terraced two-storey dwelling houses. Beyond the rear site boundary is Shirley Pond Park which is a Site of Importance for Nature Conservation.

2. Proposal

2.1 The application seeks approval for the matters reserved from consideration in the outline planning permission for the construction of 40 dwellings. Along with the principle and the level of development, the outline application also approved the access details although indicative details of layout and scale were also provided with the application. The current application seeks approval for the layout, scale, appearance and landscaping and closely follows the indicative plans provided at the outline stage.

2.2 The application proposes the following mix of accommodation:

- 2 no. 4 bedroom houses
- 22 no. 3 bedroom houses
- 8 no. 2 bedroom houses
- 2 no. 1 bedroom flats
- 6 no. 2 bedroom flats

2.3 The development is mainly two-storeys in scale, with some elements of three-storey towards the southern boundary of the site. The development is mainly comprised of short terraces of properties. Four short terraces would front Bracken Lane and a vehicular access between these terraces leads to the remainder of the development which takes a courtyard form. Buildings face onto a central access road with rear gardens between the buildings and remaining site boundaries.

- 2.4 In terms of design, the development has a relatively traditional and simple appearance using facing brick elevations and pitched and hipped roofs. Elevations are typically articulated with entrance porches.
- 2.5 A total of 42 car parking spaces are proposed to serve the development and are typically provided to the fronts of the dwellings. Each dwelling would also be served by purpose built cycle and refuse storage.

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). The most relevant policies to these proposals are set out at **Appendix 1**. The National Planning Policy Framework came into force on 27 March 2012. Paragraph 214 of the Framework sets out that local policies adopted since 2004 retain their full material weight for decision making purposes.
- 3.2 The site is not allocated for a particular use or development within the Development Plan but lies within an area of Medium Accessibility for Public Transport (Public Transport Accessibility Level Band 3).
- 3.3 Major developments are expected to meet high sustainable construction standards in accordance with the City Council’s adopted policies. In accordance with adopted Core Strategy Policy CS20 and Local Plan “saved” Policy SDP13.
- 3.4 The policies of the South East Plan, Southampton’s Core Strategy and Local Plan Review have been taken into account in the consideration of this application. The Core Strategy is in general conformity with the South East Plan, and it is not considered that the policies in the South East Plan either conflict with or add particular weight to the policies in the Core Strategy for this application. Consequently only the local statutory development plan policies (Core Strategy and Local Plan Review) have been cited in this report.

4. Relevant Planning History

- 4.1 Outline planning permission was granted in 2010 for the redevelopment of the site to provide 40 units of residential accommodation with means of access the only detailed matter considered and approved (reference 09/00335/OUT). A copy of this permission is attached at **Appendix 2**.

5. 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, placing a press advertisement (16.08.12) and erecting a site notice (13.08.12). At the time of writing the report **4** representations have been received from surrounding residents. The following is a summary of the comments received:

- 5.2 ***The level of proposed development is too much***

5.3 **Response**

The proposed residential density is 61 dwellings per hectare which accords with the density range set out in the Core Strategy. Furthermore, the level of development has been approved by the outline planning permission.

5.4 ***The larger properties could lead to noise and disturbance to neighbours***

5.5 **Response**

There is no reason to suspect that the introduction of four-bedroom houses would increase noise and disturbance to neighbouring properties. Furthermore, instances of noise and disturbance can be addressed through the appropriate Environmental Health legislation.

5.6 ***The proposal would affect a number of birds which use the site***

5.7 **Response**

An updated ecology report has been submitted with the planning application and the Council's Ecologist is satisfied with the conclusions of this report. Subject to the submission of a satisfactory mitigation plan prior to the grant of planning permission and the imposition of a condition to secure the implementation of the mitigation measures, the proposal is considered to be acceptable in this respect.

5.8 ***The addition of four-bedroom properties into the scheme would lead to additional parking pressures. In addition to this, the introduction of a residents parking scheme in the area has increased the pressure on available car parking. The proposed development would exacerbate this issue.***

5.9 **Response**

The level of car parking proposed accords with the Council's adopted maximum car parking standards and is therefore, considered to be acceptable. Furthermore, residents of the proposed development would not be eligible for parking permits and so would not result in increased competition for these spaces.

5.10 ***The proposal would result in additional overlooking of the neighbouring properties***

5.11 **Response**

Where properties do face onto boundaries with neighbouring residential properties, there is sufficient separation to ensure that no harmful overlooking would occur. For example, there would be approximately 17 metres between the rear elevation of plots 6 and 8 and 17a Holland Place and 37 metres between the rear elevation of plots 4 and 5 and 17 Holland Place. There would be over 30 metres separation between habitable room windows in Chalfont Close and the development facing the western site boundary.

Consultation Responses

5.12 **SCC Highways** - No objection

5.13 **SCC Housing** – There is a requirement to provide 10 affordable housing units and the preference is for these to be provided on site. This would be secured by

the section 106 agreement associated with the outline planning permission.

- 5.14 **SCC Sustainability Team** – Object. The submission does not demonstrate how the sustainability requirements will be met.

Response

A condition of the outline planning permission requires the development to meet level 3 of the Code for Sustainable Homes which was the policy requirement at the time the permission was granted. The applicants will need to demonstrate compliance with the condition before development works can commence.

- 5.15 **SCC Environmental Health (Pollution & Safety)** - No objection or conditions suggested

- 5.16 **SCC Ecology** – A detailed mitigation plan will be required covering replacement bat roosts and protection of bat corridors.

- 5.17 **Southern Water** – No objection or conditions suggested

6. Planning Consideration Key Issues

- 6.1 As the principle of development together with the access have been approved as part of the outline planning permission, the key remaining issues for consideration in the determination of this planning application are:

- i. The design of the proposal together with the impact on the character of the area;
- ii. The impact on residential amenity;
- iii. The quality of the residential environment proposed and;
- iv. Parking and highways.

6.2 **Design of the proposal and impact on the character of the area**

- 6.2.1 In terms of scale, the proposed buildings would reflect the domestic character of the surrounding area. The development, including the Bracken Lane street frontage, would be mainly 2-storeys, with elements of 3-storey located to the south of the site, where the change in levels lessens the impact of the additional height. This closely follows the height parameters indicated at the outline stage.

- 6.2.2 The proposed layout provides a series of plots to the Bracken Lane frontage which reflects the pattern of development within the street. The parking to the street frontage would be broken up with elements of soft-landscaping to ensure that the frontage does not appear car-dominated.

- 6.2.3 The appearance of the development is relatively traditional in nature and would not therefore appear out of keeping with the domestic character of the surrounding area. There is sufficient space around the proposed buildings to ensure that the site would not appear over-intensively developed when viewed from public vantage points. The design would significantly benefit from the improvements set out in the recommendation above, and subject to the receipt of amended plans to address these points, the proposal is considered to be acceptable in terms of elevational treatment.

- 6.2.4 The substantial trees to the southern site boundary would be retained and so soften the appearance of the development when viewed from Shirley Pond Park. That said, the three storey scale of the building at this point would provide a

strong built edge to the open space. The development would retain the important amenity trees on the site which would help to soften the appearance of the development and offer some screening to neighbouring properties.

6.3 Impact on residential amenity

6.3.1 The proposed buildings would be positioned away from the site boundaries by a gardens length to minimise the impact on the neighbouring properties. The relationship of proposed buildings with the neighbouring properties accords with the separation standards suggested in the Residential Design Guide. These separation distances ensure good access to light, privacy and outlook for residents.

6.4 Quality of the residential environment

6.4.1 Each dwelling would be served by sufficient private and useable amenity space which complies with the standards set out in the Residential Design Guide. Outlook from habitable room windows is acceptable and ground floor accommodation would benefit from defensible space between windows and public spaces. Adequate cycle and refuse storage would also be provided and this would be conveniently located in relation to the dwellings.

6.5 Parking and Highways

6.5.1 The application proposes slightly more car parking than that indicated at the outline stage. A maximum of 80 car parking space is permitted by the adopted Car Parking Standards Supplementary Planning Document but the provision of 1 car parking space per dwelling, with the addition of 2 visitor spaces accords with the outline permission and meets these standards. It is considered that the provision of the maximum number of car parking spaces in this instance could not be achieved without significantly compromising the amount of amenity space provided and resulting in a car dominated layout. Furthermore, the scheme is likely to be offered as wholly affordable housing where car ownership is often lower.

6.5.2 The internal access has been designed as a shared surface between pedestrians and vehicles which would give priority for pedestrians over vehicles. This would contribute to creating a positive residential environment for future occupiers of the development.

7. Summary

7.1 The delivery of a good mix of residential accommodation which includes the provision of genuine family housing is welcome. The application closely follows the indicative plans provided at the outline stage and would integrate into the area whilst minimising the impacts on existing neighbours.

8. Conclusion

8.1 Subject to the imposition of the suggested conditions attached to this report and the receipt of amended plans and an ecological mitigation plan, the proposal would be acceptable. The application is therefore recommended for approval.

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1 (a), (b), (c), (d), 2 (b), (c), (d), 3(a), 4 (f), (v) 6 (a), (c), (f), (i), 7 (a)

JT for 18/09/12 PROW Panel

PLANNING CONDITIONS

01. APPROVAL CONDITION - Approved Plans

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

Reason:

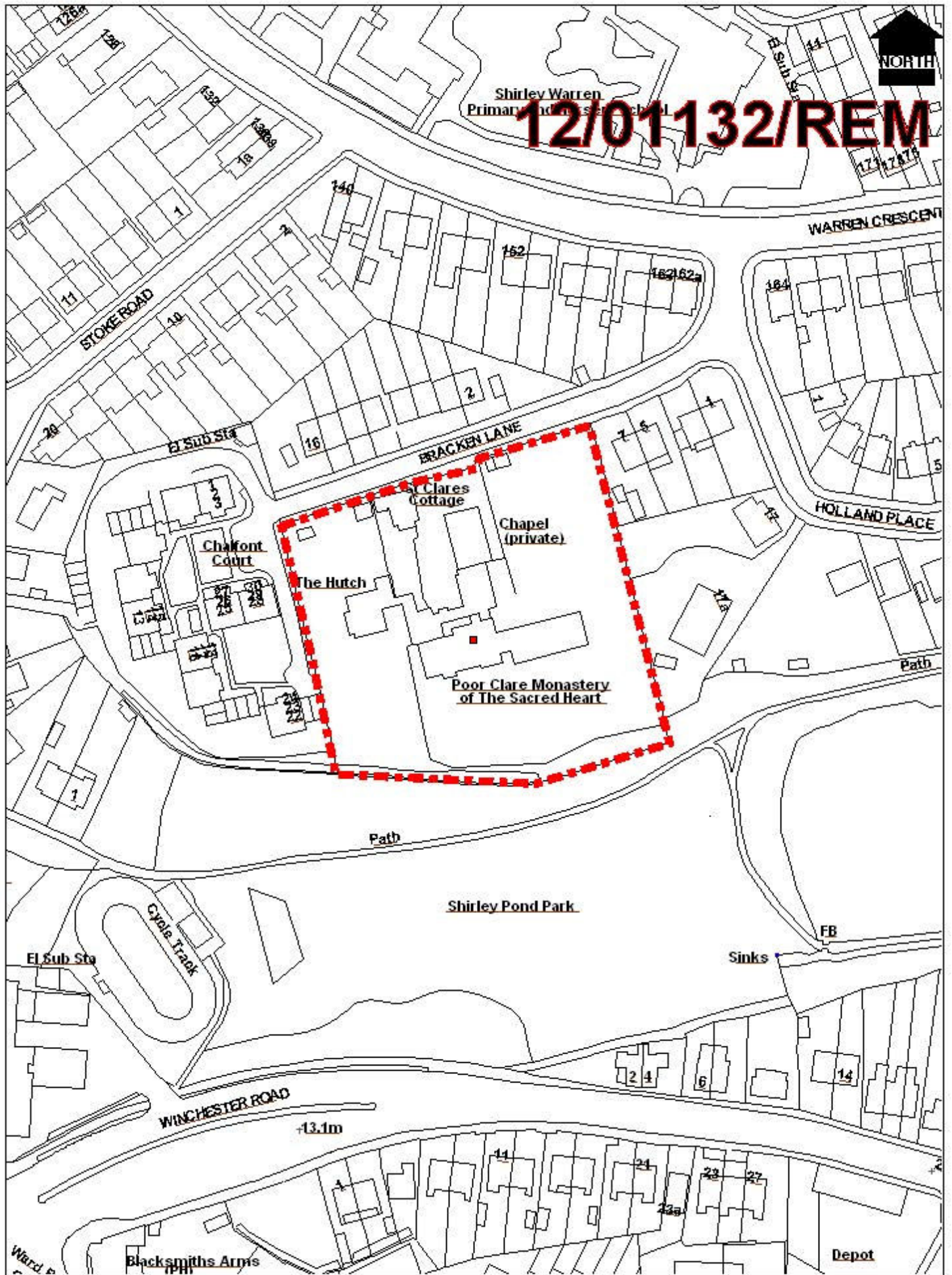
For the avoidance of doubt and in the interests of proper planning.

02. APPROVAL CONDITION - Ecological Mitigation Measures

The Ecological Mitigation Measures as set out in the updated Ecological Mitigation Plan shall be implemented in accordance with the agreed details and thereafter retained as approved.

Reason:

In the interests of biodiversity.



Scale : 1:1250

Date 06 September 2012

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