

**Planning, Transport & Sustainability Division**  
**Planning and Rights of Way Panel 23 April 2013**  
**Planning Application Report of the Planning and Development Manager**

<b>Application address:</b> 233 Botley Road SO19 0NL			
<b>Proposed development:</b> Conversion Of One Existing Office Building Into 4 X 2-Bed Flats And Erection Of 1 X 3-Bed And 2 X 4-Bed Detached Houses And 2X 3-Bed Semi-Detached Houses, With Associated Parking And Cycle/Refuse Storage, Following Demolition Of Industrial/Storage Buildings.			
<b>Application number</b>	13/00186/FUL	<b>Application type</b>	FUL
<b>Case officer</b>	Andrew Gregory	<b>Public speaking time</b>	5 minutes
<b>Last date for determination:</b>	24/04/2013	<b>Ward</b>	Bitterne
<b>Reason for Panel Referral:</b>	Request by Ward Member and five or more letters of objection have been received	<b>Ward Councillors</b>	Cllr Lloyd Cllr Stevens Cllr Letts

<b>Applicant:</b> Ibex Land And Property Limited	<b>Agent:</b> Neame Sutton Ltd
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<b>Recommendation Summary</b>	<b>Delegate to Planning and Development Manager to grant planning permission subject to criteria listed in report</b>
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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. 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. 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. 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, SDP4, SDP5, SDP7, SDP9, H1, H2 and H7 of the City of Southampton Local Plan Review - Adopted March 2006 policies CS4, CS5, CS13, CS15, CS16, CS19, CS20 of the Local Development Framework Core Strategy (January 2010); National Planning Policy Framework (2012)

<b>Appendix attached</b>			
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 transport contributions for highway improvements in the vicinity of the site in line with Policy SDP4 of the City of Southampton Local Plan Review (March 2006), policies CS18 and CS25 of the adopted LDF Core Strategy (2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended);
  - ii. A financial contribution towards strategic transport projects for highway network 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 public 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); including Amenity Open Space ("open space") and Playing Field;
  - iv. The provision of a minimum of 20% of the dwellings as affordable housing, in accordance with Policy CS15 of the adopted LDF Core Strategy (2010);
  - v. Submission of a highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer.
- 2) In the event that the legal agreement is not completed after 2 months following the date of this panel meeting the Planning and Development Manager be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.
- 3) That the Planning and Development Manager be given delegated powers to vary relevant parts of the Section 106 agreement and to remove, vary or add conditions as necessary.

### **1.0 The site and its context**

- 1.1 The application site has an area 0.27 hectares and comprises previously developed land containing a mix of office, industrial and external yard storage. The backland site is served by single lane access from Botley Road and also from Rother Dale. The site was previously occupied as a builder's yard and is currently vacant. The site is laid out with the existing commercial buildings framing a central courtyard parking area. The office building is part two-storey and was originally occupied for residential use and contains a maintained garden within the eastern part of the site. The office building and associated garages are served by the Rother Dale access. A mature oak tree is located adjacent to the Rother Dale access and a group of silver birch trees are located along the southern boundary with Killarney Close.
- 1.2 The surrounding area is predominantly residential in character and the site is abounded by residential plots. A turning head and parking areas serving Botley Gardens abuts the western boundary and part of the northern boundary.

## **2.0 Proposal**

- 2.1 The proposal seeks residential redevelopment of this vacant backland commercial site with the erection of 5 new dwellings and conversion of the existing office building to provide 4 no. 2-bed apartments. The existing accesses onto Botley Road and Rother Dale would be stopped up with new vehicular access proposed through Botley Gardens.
- 2.2 The form of the existing office building will be retained with the existing single-storey link elements demolished. The building will be re-clad with weatherboarding with render applied to the lower sections. The existing garden to the rear of the existing office building will be utilised as communal amenity space for the proposed flats. Bin and cycle storage and 1 car parking space will be provided to the front of the flats in the northern part of the site. 4 additional spaces to serve the flats will be located centrally within the site.
- 2.3 The remainder of the site will be cleared with 5 no. detached two-storey dwelling houses proposed with a detached house and semi-detached pair fronting the access drive and 2 no. detached houses in the eastern corner of the site. Each of the dwellings provided with private rear gardens, car parking (including garages for dwellings 2-5) and bin and cycle storage.
- 2.4 In total there will be 9 dwellings served by 15 parking spaces at a residential density of 33 dwellings per hectare.

## **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 Major developments are expected to meet high sustainable construction standards in accordance with the City Council’s adopted and emerging policies. In accordance with adopted Core Strategy Policy CS20 and Local Plan “saved” Policy SDP13.
- 3.3 The National Planning Policy Framework (NPPF) came into force on 27 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 1306/P32 - RECONSTRUCTION OF OFFICES AND WORKSHOPS - Conditionally Approved on 12.04.1966
- 4.2 1344/P14 - EXTENSION TO JOINERY WORKSHOP - Conditionally Approved on 27.02.1968
- 4.3 1462/P22 - EXTENSION AT BUILDERS YARD - Refused on 31.07.1973

4.4 890810/E - REDEVELOPMENT OF THE SITE BY ERECTION OF 16 HOUSES WITH ASSOCIATED CAR PARKING - Withdrawn on 25.07.1989

## 5.0 **Consultation Responses and Notification Representations**

5.1 Following the receipt of the planning application a publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners and erecting a site notice (14.03.2013). At the time of writing the report **8** representations have been received from surrounding residents (including a petition with 33 signatories) and 2 objections from local ward councillors (Letts and Stevens).

### Summary of representations made

- The proposed access through Botley Gardens in particular past nos. 7 to 15 is unsuitable and not fit for purpose.
- Insufficient parking provision. The developer has made no provision within their plans to accommodate visitor parking. There is insufficient kerbside space available within Botley Gardens to accommodate any parking displacement from the development.
- The proposed development will lead to increased surface water run-off into Botley Gardens
- Concern that the opening up of the site will increase the crime rate in the area with new access/escape routes available from Botley Gardens into Botley Road and Rother Dale
- The proposed development will increase traffic flow within Botley Gardens, changing the character of a quiet cul-de-sac where children currently play in the street.
- Proper consideration has not been given to the original access route from Botley Road or the alternative via Rother Dale.
- Concern if access is taken through Rother Dale
- Means of site enclosure and future use of the existing access lane is unclear

These issues are addressed in the planning considerations section of this report.

5.2 **SCC Highways** - No objection subject to conditions to secure a bin collection point, materials storage and wheel cleaning facilities.

It is understood that existing nearby residents are concerned that the proposed access through Botley Gardens is not appropriate for emergency vehicles. There is a pinch point in the carriageway between No.11 and 12 Botley Gardens which is approximately 5m wide. There would give a vehicle clearance width of approximately 2.8m-3m when a vehicle is parked on one side. Design guidance on access for fire engines specifies that local narrowing of 2.75m is acceptable plus there is the ability to bump up the kerb at the pinch point.

5.3 **SCC Housing** – As the scheme comprises of 9 dwellings in total the affordable housing requirement from the proposed development is 20% (CS15- sites of 5-14 units = 20%). The affordable housing requirement is therefore 2 dwellings. It is understood that a viability assessment has been submitted for this application.

5.4 **SCC Sustainability Team** – No objection subject to conditions to ensure that the development achieves level 4 of the Code for Sustainable Homes in accordance

with policy CS20 of the Local Development Framework Core Strategy

- 5.5 **SCC Environmental Health (Pollution & Safety)** - At the time of writing this report no comments had been received and an update will be provided at the Panel meeting if comments are received. Conditions relating to demolition works, dust suppression, hours of work and no bonfires have been suggested.
- 5.6 **SCC Environmental Health (Food Safety)** –
- 5.7 **SCC Environmental Health (Contaminated Land)** - Potentially contaminated site; adequate assessments will need to be carried out on site to determine the likely presence of contaminants. Planning condition recommended.
- 5.8 **SCC Ecology** – The application has been supported by an ecology report which indicates the site has limited biodiversity value although there is evidence of bat roosts within the tile hanging on the office building. However the ecology officer raises no objection and the developer is not required to meet the three tests of the Habitat Regulations because the roof of the office building and existing tile hanging will be left in situ.
- 5.9 **Environment Agency** - No objection
- 5.10 **Hampshire Constabulary** – At the time of writing this report no comments had been received and an update will be provided at the Panel meeting.
- 5.11 **Trees** - Within this site is a an oak tree which is on the access to Rother Dale and a group of Silver Birch trees which back onto properties in Killarney Close. The proposed layout shows these trees to be retained. At the time of writing this report no comments had been received from the tree team and an update will be provided at the panel meeting if comments are received. Tree protection measures have been added as part of the recommended planning conditions.
- 5.12 **Southern Water** – No objection subject to a condition to ensure that the public sewer is protected. Also an informative should be attached regarding connection to the public sewer.

## **6.0 Planning Consideration Key Issues**

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

### **6.2 Principle of Development**

6.2.1 The redevelopment of this brownfield site for residential use is acceptable in principle and accords with the policies within the development and central government's guidance (through the National Planning Policy Framework) to promote sustainable and efficient use of land for housing development providing the character of an area is not compromised.

6.2.2 The site is not safeguarded for commercial use and the proposal provides the opportunity to replace this non conforming back land use with residential development that is compatible with existing housing in the area.

6.2.3 The level of development of 33 dwellings per hectare (dph) broadly fits within the

density parameters for the site (of between 35 and 50dph) having regard to criteria 1 of policy CS5 of the Core Strategy which indicates that development density should have regard to the character and appearance of the existing neighbourhood. The provision of genuine family housing is welcomed and the proposed residential mix fulfils the requirements of policy CS16 of the Core Strategy whilst assisting the Council meeting its housing need.

### 6.3 Design, layout and impact on established character

6.3.1 A Design and Access Statement has been submitted which identifies measures to be taken into account when maintaining the character of the area and achieving high standards of design. The proposed design, layout and scale of development is considered in keeping with the surrounding pattern of development.

6.3.2 The new build housing is two-storey with a design and form that will not harm the visual amenities of the area. Details of external materials will be reserved by condition.

### 6.4 Impact on Residential Amenity

6.4.1 The residential amenities of nearby residents will not be adversely harmed. The proposed development will not give rise to harmful sense of enclosure, loss of light, shadowing or overlooking / loss of privacy, having regard to the separation distance and the orientation of the proposed dwellings in relation to neighbouring properties.

6.4.2 The proposed dwelling within plot 1 is located a limited distance from the rear boundary of the site (4metres) however this will not generate harmful overlooking given this part of the site abuts a car parking area within Botley Gardens. An acceptable privacy distance of 10 metres is provided between rear windows of the proposed dwellings within plots 4 and 5 and the boundary with 7a Killarney Close.

6.4.3 It is acknowledged that the development will lead to increased traffic within Botley Gardens. However the level of increased vehicle trips from 9 additional residential dwellings will not be demonstrably harmful to the character of the area.

### 6.5 Residential Standards

6.5.1 All new residential development is expected to provide prospective residents with a good living environment. The internal layout is compatible with modern living standards. All habitable rooms will receive adequate outlook, ventilation and day lighting.

6.5.2 Each of the proposed new dwelling houses is provided with 10m length gardens (note that plot 1 has a 10m length side garden) which accords with minimum standards within the Residential Design Guide. The flats are provided with in excess of 250 square metres communal amenity space which also satisfies the requirements of the Residential Design Guide.

## 6.6 Highway Issues

- 6.6.1 The application site is within an area, which is defined as a “low” accessibility zone. The level of parking provision proposed needs to be assessed against the parking standards set out in the adopted Local Plan and Parking Standards SPG, which are maximums. Therefore careful consideration needs to be made of the implications of the proposed number of spaces. The scheme proposes 2 spaces (garage and parking space) for dwellings 2-5. Dwelling 1 and the flats are provided with 1:1 provision which accords with the Councils maximum parking standards. There is no national or local policy requirement for the developer to design in visitor parking.
- 6.6.2 The level of parking provision and access arrangement will not prejudice highway safety. The existing single lane access from Botley Road will be stopped up because it does not allow for two vehicles to pass at the site entrance, and as such may lead to obstruction on Botley Road. Therefore the existing access does not meet highway engineering standards with betterment sought with a new access through Botley Gardens.
- 6.6.3 As there is no demonstrable harm with access taken from Botley Gardens then there are no compelling reasons to encourage the developer to seek alternative access through Rother Dale. Alternative access from Rother Dale may also compromise the layout and level of car parking provided. The Council’s Highways Development Management Team has raised no objection and are satisfied that Botley Gardens has sufficient width for emergency vehicle access.

## 6.7 Other Issues

- 6.7.1 The development will not lead to increased surface water run-off into Botley Gardens. The amount of hard surfacing is being reduced with increased soft landscaping, allowing improved natural soakaway.
- 6.7.2 Sustainable drainage is a requirement of the code for sustainable homes assessment and any new hard surfacing will need to be either permeable or drainage will need to be installed to ensure that surface water is drained within the site. Building Control will need to assess if soakaways are appropriate on this site.
- 6.7.3 The proposed layout of the development will not be demonstrably harmful to the safety and security of Botley Gardens. The existing access is to be stopped up and no access will be provided from Rother Dale. The site will be secured by a means of enclosure with details reserved by condition. Effectively Botley Gardens will remain a cul-de-sac which terminates at the proposed development.

## 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 Botley Gardens and certainly not to a level that would outweigh the merits of housing delivery on this site.

## **8.0 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), 9(a), 9(b).

### **AG for 23/04/13 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 - Samples details of building materials to be used [Pre-Commencement Condition]**

No work for the construction of the buildings hereby permitted shall commence unless and until details and samples of the materials and finishes to be used for the external walls, windows, doors and roof of the building have been submitted to and approved in writing by the Local Planning Authority. 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 interest of the visual amenities of the locality and to endeavour to achieve a building of high visual quality.

#### **03. 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.



**04. APPROVAL CONDITION - Bonfires [Performance Condition]**

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.

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

Prior to the commencement of any development a written construction environment management plan shall be submitted to and approved by the LPA. The plan shall contain method statements and site specific plans to prevent or minimise impacts from noise, vibration, dust and odour for all operations, as well as proposals to monitor these measures at the site boundary to ensure emissions are minimised beyond the site boundary. All specified measures shall be available and implemented during any processes for which those measures are required.

Reason:

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

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

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

Reason:

To protect the amenities of users of the surrounding area.

**07. APPROVAL CONDITION - No other windows or doors other than approved [Permanent 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 - 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.

## **09. 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 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.

## **10. 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.

### **11. APPROVAL CONDITION - Code for Sustainable Homes [Pre-Commencement Condition]**

Before the development commences, written documentary evidence demonstrating that the NEW BUILD 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).

### **12. 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 NEW BUILD 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 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).

### **13. APPROVAL CONDITION - Means of site enclosure [Pre-Occupation Condition]**

Before occupation of the development hereby approved, details of the design and specifications of the boundary treatment of the site shall be submitted to and approved in writing by the Local Planning Authority. The agreed boundary enclosure details shall be subsequently erected prior to the occupation of any of the units provided under this permission and such boundary treatment shall thereafter be retained and maintained to the boundaries of the site.

#### **REASON:**

In the interests of the visual amenities of the area and to protect the amenities and privacy of the occupiers of adjoining property

Note:- The Local Planning Authority will be looking to secure brick walls rather than close boarded fences abutting the highway

### **14. APPROVAL CONDITION - Landscaping detailed plan [Pre-Commencement Condition]**

Before the commencement of any site works a detailed landscaping scheme and implementation timetable, which clearly indicates the numbers, planting densities, types, planting size and species of trees and shrubs to be planted, and treatment of hard surfaced areas, shall be submitted to and approved in writing by the Local Planning Authority.

The landscaping scheme shall specify all trees to be retained and to be lost and shall provide an accurate tree survey with full justification for the retention of trees or their loss. Any trees to be lost shall be replaced on a favourable basis (a two-for one basis unless circumstances dictate otherwise) to ensure a suitable environment is provided on the site.

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 scheme 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

**15. 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.

**16. 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.

**17. APPROVAL CONDITION - Stopping up existing access**

Any redundant access to the site shall be stopped up and abandoned and the footway, and verge crossings and kerbs shall be reinstated before the development is brought into use. Details of how the land and between 229/231 and 235 Botley Road will be finished shall be submitted to the Local Planning Authority prior to the commencement of development and delivered prior to first occupation.

**Reason:**

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

**18. APPROVAL CONDITION - Public Sewer protection [Performance Condition]**

The developer must advise the Local Planning Authority (in consultation with Southern Water) of the measures which will be undertaken to protect the public sewers, prior to the commencement of the development.

Reason:

In order to safeguard the public sewer.

### **19. APPROVAL CONDITION - Bicycle Storage**

The development to which this consent relates shall not be brought into use in full or in part until secure, covered space has been laid out within the site for a minimum of 1 bicycle per dwelling to be stored for the benefit of the residents in accordance with plans to be submitted to and approved in writing by the Local Planning Authority. The cycle storage hereby approved shall thereafter be retained on site for that purpose.

REASON: To encourage cycling as a sustainable form of transport.

### **20. APPROVAL CONDITION - Refuse & Recycling Bin Storage - [Pre Occupation Condition]**

Bin storage shall be laid out with a level approach prior to the first occupation of the development hereby approved in accordance with the approved plans. The facilities shall include accommodation for the separation of waste to enable recycling. The approved refuse and recycling storage shall be retained whilst the development is used for residential purposes.

REASON:

In the interests of the visual appearance of the building and the area in general.

### **21. 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.

### **22. 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.

**23. 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.

**24. APPROVAL CONDITION - Residential - Permitted Development Restriction [Permanent 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),

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.

**25. 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.

**Southern Water - Public Sewerage - Informative**

A formal application for connection to the public sewerage is required in order to service this development. Please contact Southern Water's Network Development Team (Wastewater) based in Otterbourne or [www.southernwater.co.uk](http://www.southernwater.co.uk).

**POLICY CONTEXT**

Core Strategy - (January 2010)

CS4	Housing Delivery
CS6	Housing Density
CS13	Fundamentals of Design
CS15	Affordable Housing
CS16	Housing Mix and Type
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS21	Protecting and Enhancing Open Space
CS22	Promoting Biodiversity and Protecting Habitats
CS25	The Delivery of Infrastructure and Developer Contributions

City of Southampton Local Plan Review – (March 2006)

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
CLT3	Protection of Open Spaces
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

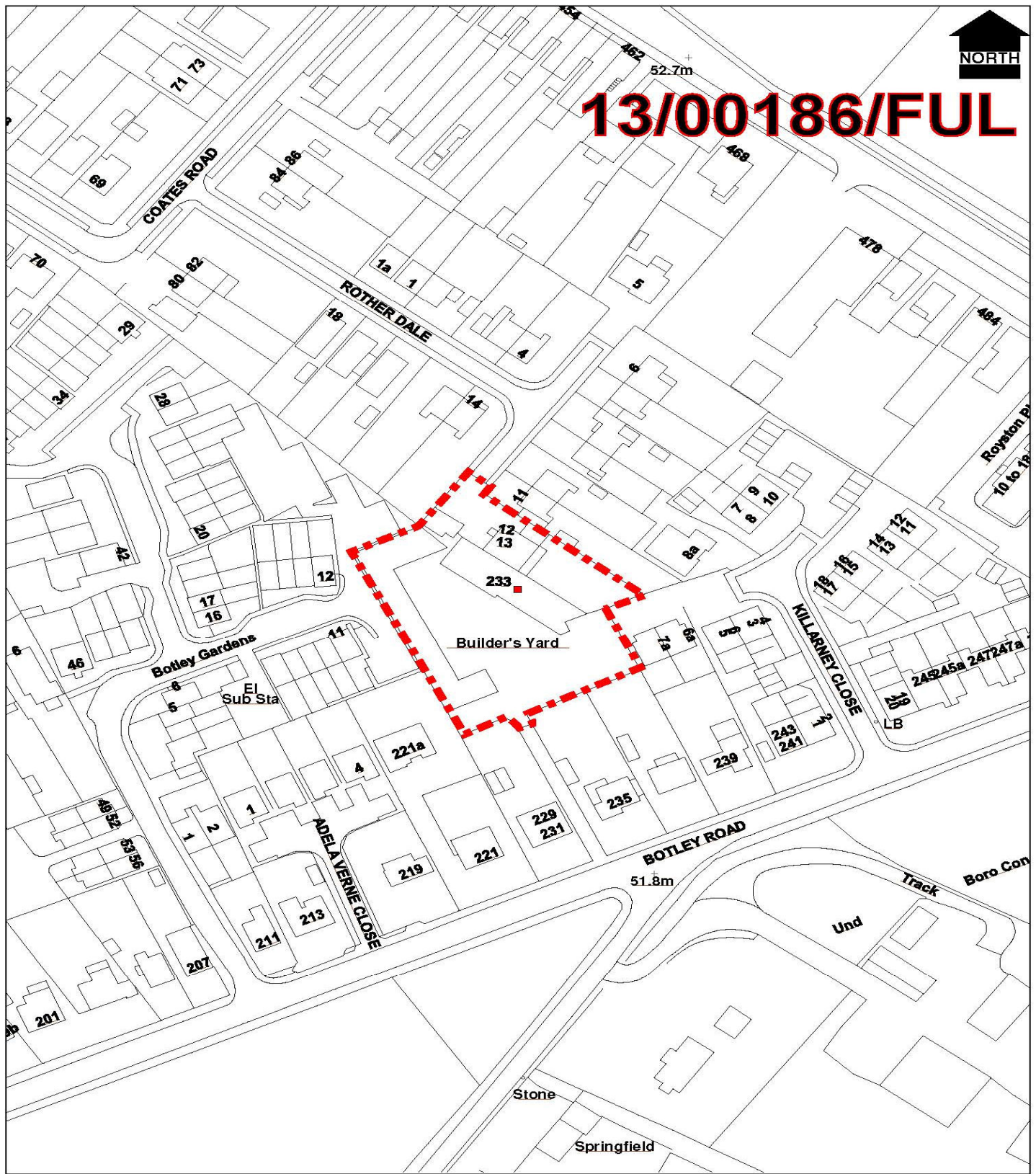
Residential Design Guide (Approved - September 2006)  
Planning Obligations (Adopted - August 2005 and amended November 2006)  
Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework 2012



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Scale : 1:1250

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