

**Planning, Transport & Sustainability Division**  
**Planning and Rights of Way Panel 17/09/2013**  
**Planning Application Report of the Planning and Development Manager**

<b>Application address:</b> 36 Archers Road SO15 2LT			
<b>Proposed development:</b> Erection of a detached 5-bed house including accommodation with roofspace, with associated parking and cycle/refuse storage (amendment to planning permission 11/02037/ful for additional window to side elevation and 3 roof lights)			
<b>Application number</b>	13/00869/FUL	<b>Application type</b>	FUL
<b>Case officer</b>	Mathew Pidgeon	<b>Public speaking time</b>	5 minutes
<b>Last date for determination:</b>	21.08.2013	<b>Ward</b>	Bargate
<b>Reason for Panel Referral:</b>	Departure from the Development Plan	<b>Ward Councillors</b>	Cllr Sarah Bogle Cllr John Noon Cllr Matthew Tucker

<b>Applicant:</b> Mr I Sandhu	<b>Agent:</b> Paris Smith Llp
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<b>Recommendation Summary</b>	<b>Conditionally approve</b>
<b>Community Infrastructure Levy Liable</b>	<b>Yes</b>

**Reason for granting Permission**

Reason for granting Planning Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 186-187 of the National Planning Policy Framework (2012).

Policies - SDP1, SDP4, SDP5, SDP7, SDP9, H1 and H2 of the City of Southampton Local Plan Review (March 2006) and CS5, CS13, CS16, CS19 and CS20 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

<b>Appendix attached</b>	
1	Development Plan Policies
2	Case Officers Delegated Report re planning application 11/02037/FUL.

## **Recommendation in Full**

### **Conditionally approve**

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

- 1.1 Archers Road is comprised of a vast mix of building types, heights and plot sizes. On the south side of the road the character is predominantly comprised of flatted blocks of a scale greater than 2 stories in height. On the north side of Archers Road there are also flatted blocks which exceed two stories along with a School building and two storey dwelling houses.
- 1.2 The application site is located on the south side of Archers Road and is positioned opposite Banister Infant School which is currently in the process of being redeveloped.
- 1.3 The site contains a recently constructed detached house which gained planning permission under consent 11/02037/Ful. However changes to the approved scheme have been included which are material in nature and therefore a new retrospective full consent is required for the property as constructed as set out at 2.0.
- 1.4 Either side of the property are purpose built flatted blocks, to the east is a block that is three storeys in height (number 34) and the property to the west (38 to 44 Romeo Hall) is three stories with rooms within the roof space.

#### **2.0 Proposal**

- 2.1 The current application seeks authorisation for the amendments made to the scheme during construction. These are specifically 3 'sun-lights' in the roof which project above the ridge and a newly proposed window in the side flank elevation of the property (east facing) which would serve an office (created through the internal sub-division of one of the approved bedrooms). The 'sun-lights' afford no outlook but gain light to rooms within the loft space including a hallway, a bedroom and a prayer room.

#### **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 Core Strategy Policy CS20 and Local Plan "saved" Policy SDP13.
- 3.3 The National Planning Policy Framework (NPPF) came into force on 27<sup>th</sup> 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 11/02037/FUL - Erection of a detached 5-bed house including accommodation within roof space, with associated parking and cycle/refuse storage - Conditionally Approved. 08.03.2012. Please refer to **Appendix 2** for the Case Officers Delegated Report.

#### **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. At the time of writing the report **1** representation has been received from surrounding residents.

Summary of Comments: Overlooking of private amenity space.

RESPONSE: Planning conditions can be used to ensure that the offending window is obscurely glazed.

#### **5.2 SCC Sustainability**

As the house is almost complete under the previous permission with minor amendments on this application, I think we can reasonably carry the existing conditions across. The applicant should note that the post-construction code condition also requires 20% in category Ene01 or Ene 07 as well as Code 3.

- 5.3 In the case where the pre-commencement condition had not already been discharged on the previous application I would not support the application but in this case I would think it reasonable to carry the previous code 3 + 20% post construction condition across.

#### **6.0 Planning Consideration Key Issues**

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

- i. Principle of development;
- ii. The character of the dwelling;
- iii. The impact on neighbouring amenity; and
- iv. Living environment for the occupants

#### **6.1 Principle of development**

- 6.2 The majority of the dwelling has already been built and when permission was originally granted compliance with Policy CS20 was achieved meeting code level 3 of the code for sustainable homes. However since the house was originally approved new standards of construction have increased to code level 4. As such technically due to the type of application submitted the development is considered to be a departure from the local plan.

- 6.3 Although technically a departure it is considered unreasonable to refuse the application on this basis. The majority of the building works have been completed and essentially the only reason an application has been re-submitted is due to the fact that the development was not built in accordance with the approved plans but instead roof lights and one additional wall window were added.
- 6.4 The character of the dwelling
- 6.5 There are no material concerns relating to the sun-lights or the window in the side elevation. The 'sun-lights' are visible within a short section of Archers Road due to their projection above the ridge in order to maximise sun-light gain. In design terms these add a sense of individuality to the roof which on other buildings with the street are broken up by chimneys projecting above the roof.
- 6.6 The impact on neighbouring amenity
- 6.7 The position of the flank wall window is such that significant harm will not occur to neighbouring residents. Outlook from the window is achieved over the parking area and vehicular access serving the neighbour's site rather than over garden space. Furthermore the window can be obscurely glazed.
- 6.8 Living environment for the occupants
- 6.9 As the room to which the window serves is an office there will be an acceptable impact on the quality of the residential environment within the host dwelling. Obscure glazing can be used.
- 7.0 Conclusion**
- 7.1 The principle of the construction of the building has been previously supported. The changes made to the building whilst material (as they would require planning permission in their own right) are not judged to be out of keeping with the area or to cause harm to surrounding amenity. The scheme in terms of design is judged to be acceptable. Refusal of the application purely on sustainability grounds when the sustainability Officer supports the scheme is deemed to be unreasonable. Therefore the application is supported and all previous conditions, as necessary, are to be re-imposed.

**Local Government (Access to Information) Act 1985**  
**Documents used in the preparation of this report Background Papers**

1 (a), (b), (c), (d), 2 (d), 4 (f), 6 (c) 9 (a) and 9 (b)

**MP3 for 17/09/2013 PROW Panel**

**PLANNING CONDITIONS**

01 APPROVAL CONDITION - Details of building materials to be used [Performance Condition]

The following submitted materials are acceptable to the Local Planning Authority:

Facing brick - Warnham red brick  
Detailed brick- Leicester buff stock  
Roof Tile - Stonewold Slate Grey  
Block paving - Permeable, Marshalls tegula.  
Doors and windows - White UPVC  
Access routes- Tarmac access road with pedestrian route demarcated with light buff stone chippings.

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.

#### 02 Approval Condition – Additional Details (Performance Condition)

The details relating to layout and siting of parking, pedestrian access into the site, refuse collection area and cycle storage as shown on drawing 404 - 01 are accepted. The developer will be in full compliance with this condition once the development has been built in accordance with the agreed details. The agreed details shall be made available prior to the first occupation of the dwelling hereby approved and thereafter retained and maintained at all times.

Reason

To ensure an appropriate level of residential amenity and highway safety is achieved on site in accordance with 'saved' policy SDP1 and SDP5 of the City of Southampton Local Plan Review (March 2006).

#### 03 APPROVAL CONDITION - Landscaping, lighting & means of enclosure detailed plan [Performance Condition]

The use of Arden Olde Farmhouse brick for the front wall of the development and landscaping details as shown on drawing 404-01 rev A and 404 - 02 Rev A are accepted. The developer will be in full compliance with this condition once the development has been built in accordance with the agreed details.

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 - 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.

#### 05 APPROVAL CONDITION - Overhanging tree loss [Performance Condition]

For the duration of works on the site no trees on or overhanging the site shall be pruned/cut, felled or uprooted otherwise than shall be agreed in writing by the Local Planning Authority. Any tree removed or significantly damaged, other than shall be agreed, shall be replaced before a specified date by the site owners /site developers with two trees of a size, species, type, and at a location to be determined by the Local Planning Authority.

Reason:

To secure a satisfactory setting for the proposed development and to ensure the retention, or if necessary replacement, of trees which make an important contribution to the character of the area.

#### 06 APPROVAL CONDITION - Arboricultural Method Statement [Performance Condition]

The details submitted in the Arboricultural Method Statement are sufficient to discharge the relevant condition. The developer will be in full compliance with this condition once the development has been built in accordance with the agreed details.

Reason

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

#### 07 APPROVAL CONDITION - Glazing panel specification [Pre-Occupation Condition]

The lower window pane serving the rear bedroom of the building hereby approved shall be glazed in obscure glass and the side windows serving rooms indicated as shower rooms and an office shall be obscurely glazed and non opening to a height of 1.7m from floor height within the rooms to which they serve. The windows as specified shall be installed before the development hereby permitted is first occupied and shall be permanently maintained in that form.

Reason:

To protect the privacy enjoyed by the occupiers of the neighbouring property 49 Cromwell Road.

#### 08 Approval Condition – Retention of access width (Performance Condition)

The access leading to the rear of the site must be retain a width of 3204mm at all times.

Reason

In the interests of highway safety

#### 09 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.

#### 10 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 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.

#### 11 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 3 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 [Time limited 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 3 of the Code for Sustainable Homes ( including at least 20% in category Ene1 or Ene 7) 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).

#### 13 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.

#### 14 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.

#### 15 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.

#### Reason for granting Planning 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 loss of existing garden land 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.

Policies - SDP1, SDP5, SDP7, SDP9 and H2 of the City of Southampton Local Plan Review (March 2006) and CS13, CS16, CS19 and CS20 of the Local Development Framework Core Strategy Development Plan Document (January 2010) as supported by the adopted Residential Design Guide (September 2006).

#### Note to Applicant

1. Pre-Commencement Conditions: Your attention is drawn to the pre-commencement conditions above which require the full terms of the condition to be satisfied before development commences. In order to discharge these conditions you are advised that a formal application for condition discharge is required. You should allow approximately 8 weeks, following validation, for a decision to be made on such an application. If the Decision Notice includes a contaminated land condition you should contact the Council's Environmental Health Department, and allow sufficient time in the process to resolve any issues prior to the commencement of development. It is important that you note that if development commences without the conditions having been formally discharged by the Council in writing, any development taking place will be unauthorised in planning terms and this

may invalidate the Planning Permission issued. Furthermore this may result in the Council taking enforcement action against the unauthorised development. If you are in any doubt please contact the Council's Development Management Service.

**POLICY CONTEXT**

Core Strategy - (January 2010)

SDP1, SDP4, SDP5, SDP7, SDP9, H1 and H2 of the City of Southampton Local Plan Review (March 2006) and CS5, CS13, CS16, CS19 and CS20 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

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
SDP4	Development Access
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)  
Planning Obligations (Adopted - August 2005 and amended November 2006)  
Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework 2012

**Relevant Planning History**

**Southampton City Council - Planning Development Control Delegated Report**

Case Ref:11/02037/FUL	Case Officer: Bryony Stala
Registered Date:22/12/2011	Application Type: FUL
Consultation Expiry Date: <b>16.02.2012</b>	Application Expires: <b>16/02/2012</b>

**1. Application Address:**

36 Archers Road

**2. Proposal Description:**

Erection Of A Detached 5-Bed House Including Accommodation Within Roof Space, With Associated Parking And Cycle/Refuse Storage

**3. Site & Surrounds:**

Site visit date: 14.02.2012	Photographs Taken: Y	Consults Checked on site: Y
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**4. Development Plan Policies/guidance of relevance:**

City of Southampton Local Plan Review (2 March 2006) Other Policy - SPG etc. to note:  
 SDP1 (Quality of Development) Residential Design Guide (18 Sep 2006)  
 SDP4 (Development Access)  
 SDP5 (Parking) Parking SPD.  
 SDP7 (Context)  
 SDP9 (Scale, Massing and Appearance)  
 H1 (Housing targets)  
 H2 (Previously developed land)

Local Development Framework Core Strategy  
 Development Plan Document (January 2010)

CS5 (Housing Density)  
 CS13 (Fundamentals of Design)  
 CS16 (Housing Mix and Type)  
 CS19 (Parking)  
 CS20 (Tackling and adapting to climate change)

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.

**5. Relevant Site History and Land Uses:**

11/01136/PREAP1 - Erection of a dwelling to the rear. Closed. 08.07.2011.

11/01562/PREAP1 - Consideration of design for proposed dwelling. Closed. 26.09.2011.

## **6. Consultation Response Summary:**

### **Highways Development Management - No objection.**

The following conditions should be applied

- o The side access leading to rear must retain the shown width of 3204mm and must not be obstructed at any time. There should also be a demarcation visually highlighting a pedestrian route to alert drivers and to help improve pedestrian safety
- o The parking spaces will need to be fully marked out on the plan showing the dimensions of 2.4m x 5m and a reversing space of 6m which the plan currently do not show

**Trees** - No objection subject to the imposition of conditions requiring the protection of existing trees and tree replacement.

**Sustainability** - No objection subject to recommended conditions.

**Archaeology** - No objection.

## **7. Notification Representations:**

Number received: 2

Summary of Comments:

- This proposal involves "Garden Grabbing" which is considered to be totally unacceptable in this situation and would result in the degradation of the area together with the devaluation of properties. In this respect, I understand that both the Government and the Local Council are against this type of action.
- The proposed location for the property, will result in the properties and garden in Hadley Court, together with the properties and gardens at the back of the site, being overlooked and consequently resulting in them lose their privacy.
- The proposed 5 bed house is considered to be overdevelopment of the site and is not appropriate for the Area
- The existing property on this site is already being used as HMO with people in all the rooms. I do not think that the existing property is a registered HMO and therefore, after approval for the additional property and its subsequent use as a HMO, the impact of noise and late night disturbance will be unacceptable.
- The proposed new access on to the already busy Archers Road is a road safety consideration and will have a detrimental impact on traffic using this road.
- From the plans it can be seen that the property is intended to be built along the western boundary of the site and therefore, access for building and subsequent maintenance of this property could only be carried out from the adjoining site. Therefore, the location is too near and is affecting the boundary.

## **8. Planning Considerations:**

Background to application

Planning permission was granted for the development of a dwelling with garage in 1952. The property has been in use as a residential dwelling house since its development.

The principle of developing a dwelling on garden land to the rear of 36 Archers Road was established in previous pre-app submission 11/01136/PREAP1 dated 11.08.2011.

The proposal would involve the development of garden land which has been recently removed from the definition of previously developed land on the 9th July update to PPS3: Housing. PPS3 indicates that the priority for development is on previously developed land.

Whilst there is a clear presumption against development on garden land, 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 development on garden land should be considered with regard to the context and character of the surrounding area.

Archers Road is comprised of a mix of building types, heights and plot size with the footprint of some buildings extending well into land that would have been previously used as garden.

As such, it is judged that the principle of developing a dwelling on garden land to the rear of 36 Archers Road is acceptable subject to the proposal complying with relevant policy and design guidance.

It was concluded that whilst the principle of development is accepted the constraints of the site, which are a direct result of the layout and position windows within neighbouring buildings, will constrain the scale and design of a house that can be achieved to the rear of 36 Archers Road.

It was recommended that a single or two storey dwelling was considered at design stage.

A further pre-app was submitted. The design of the dwelling remained unacceptable insofar as it proposed a third storey of accommodation through an arrangement of steep roof pitches and windows in the roof which resulted in a dwelling of significant scale, not akin to a back land development. Furthermore, the footprint of development was considered disproportionate to the footprint and plot ratio of neighbouring dwellings. Additional issues of overlooking to neighbouring dwellings, security issues and potential issues of headlight glare were noted.

### Current Proposal

The design has been reduced in scale, bulk and mass to appear as a two storey detached dwelling. The roof form has been reduced in scale and dormer windows removed which reduces massing and bulk.

	Pre-app	Current app
Width	13.2m	11.45m
Height	8.8m	8m
Depth	17.50m	16.73m

Whilst still a large dwelling, the proposal meets residential standards to at least a minimum.

In particular, a 21 privacy distance is met between rear bedroom windows and the properties on Milton Road. However, due to a change in land levels at the rear of the site it is recommended that the lower half of the rear bedroom window is obscure glazed. This will ensure the privacy of dwellings at the rear and retain appropriate light and outlook to the approved habitable room.

The privacy of the neighbouring three storey block of flats is retained. Overlooking may be perceived, however, the oblique angle of the windows (at 45 degrees) will prevent direct overlooking to these dwellings.

Appropriate privacy distances are met between 36 Archers Road and the proposed dwelling. Private and usable amenity space is provided for the proposed and existing dwelling.

Access and servicing arrangements are accepted and not judged to harm the amenity of neighbouring dwellings. Sufficient boundary treatments can be erected to prevent headlight glare from cars using the access road.

There is sufficient space on site for refuse and cycle storage on site. A revised plan showing a refuse collection area to the front of the site must be submitted and agreed prior to the commencement of development. The same applies for cycle storage.

It is judged that there will be no adverse harm caused to the neighbouring halls of residence. Windows facing the proposed dwelling from the Halls are obscure glazed and the building is of a greater scale and height than the proposed dwelling.

The property is being applied for as a C3 dwelling. The case officer spoke to the applicant regarding C3/C4 use and the article 4 which is to be introduced in March 2012. He was satisfied that a permission for a C3 dwelling only would be sufficient for his intended use of the site.

Given the size of the dwelling being approved, coupled within its back land nature it is considered reasonable to restrict permitted development rights A, B and E to ensure the local planning authority retains control over any additional works on the site.

#### Trees

The Ash tree T2 is protected by The Southampton (Archers Road ) TPO 2011. All other trees on site have been removed and some replacement planting would not be unreasonable.

The proposed dwelling is well clear of the tree and should not be an issue. The parking as shown on drawing no. sandhu sht 2 indicates buffer planting between the tree and the car parking which is preferred drawing no. 3.

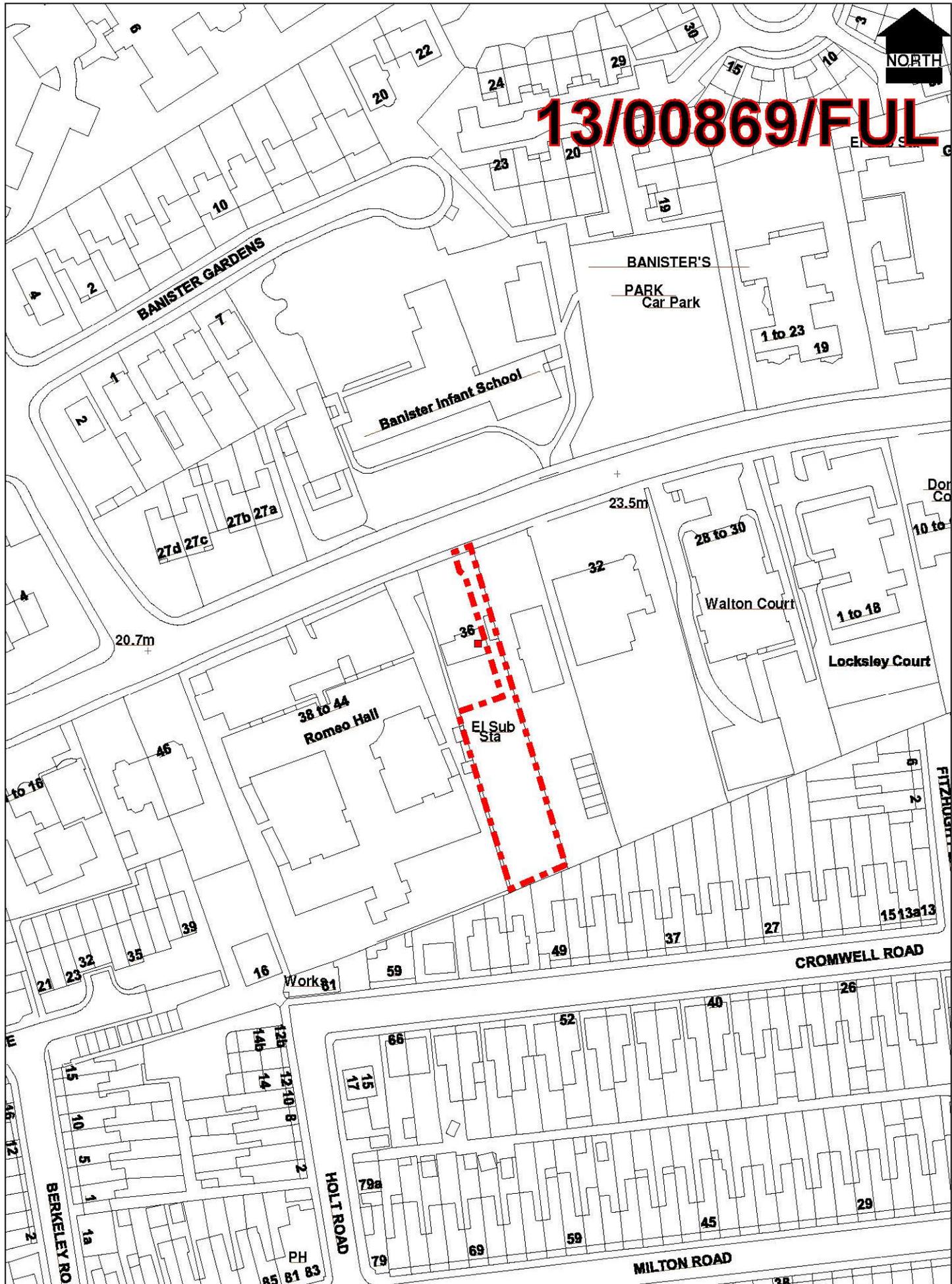
It is judged that the proposal complies with the policies set out in section 4 of this report. The application is recommended for approval subject to the imposition of the recommended conditions.

<b>9. Recommendation:</b>	<b>Conditionally Approve</b>
Planning Application Case Officer: Bryony Stala Signature:	Date of Report: 23.02.2012  Date report submitted: 23.03.2012
Authorised Officer for sign off: Agreed, SRL Signature	Date Report Considered: 7.3.2012  Date DN to Business Support: 7.3.2012

**Exception Report** (only required if recommendation is made after expiry of 8 week date): The consultation process expired on the 8 week target date. This is due to delays in the business support team. Also delayed sign-off by Team Leader owing to workloads.



**13/00869/FUL**



Scale : 1:1250

Date 4 September 2013

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