

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

Application address: 9 Abbots Way SO17 1QU			
Proposed development: Resurfacing to front driveway and garden			
Application number	14/00590/FUL	Application type	FUL
Case officer	John Fanning	Public speaking time	5 minutes
Last date for determination:	02.06.2014	Ward	Portswood
Reason for Panel Referral:	Request by Ward Member and five or more letters of objection have been received	Ward Councillors	Cllr Claisse Cllr Norris Cllr O'Neill Cllr Vinson (prior to elections on 22nd May 2014)

Applicant: Ms Alison Shepherd	Agent: N/A
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Recommendation Summary	Conditionally approve
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Community Infrastructure Levy Liable	Not applicable
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Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is 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 pro-active manner as required by paragraphs 186-187 of the National Planning Policy Framework (2012).

Policies - SDP1, SDP4, SDP5, SDP7, SDP9 and HE1 of the City of Southampton Local Plan Review (March 2006) and CS13 and CS14 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

Appendix attached			
1	Development Plan Policies		

Recommendation in Full

Conditionally approve

1.0 The site and its context

- 1.1 The application site is a detached, residential dwelling situated in the Portswood Residents Gardens Conservation Area.
- 1.2 There is an Article 4 direction in place on the site removing permitted development rights. As part of this Article 4 direction, the permitted development right to lay any hard surfacing on land fronting a highway requires planning permission.

2.0 Proposal

- 2.1 The application proposes the replacement of an existing gravelled section to the front of the property, to be replaced with hard surfacing to match the existing drive. The proposed footpaths will also be re-laid to match the existing.

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 Development within a conservation area is expected to preserve or enhance the character of the conservation area, in accordance with Core Strategy Policy CS14 and Local Plan “saved” Policy HE1.
- 3.3 The National Planning Policy Framework (NPPF) came into force on 27th 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 Not applicable.

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, placing a press advertisement (18.04.2014) and erecting a site notice (25.04.2014). At the time of writing the report **7** representations have been received from surrounding residents. The following is a summary of the points raised:

- 5.1.1 The proposed hard surfacing unbalances the proportions of the front garden with excessive coverage of hard standing, harming the character of the host dwelling.
- 5.1.2 The proposed surfacing does not comply with the guidance given in the Portswood Residents Gardens Conservation Area Appraisal and Management Plan, harming the character of the conservation area.
- 5.1.3 The proposed changes, although small in scale, will contribute to a cumulative and harmful impact on the overall character of the conservation area.

Consultation Responses

- 5.2 **SCC Highways** - No objection.
- 5.3 **SCC Sustainability** – No objection.
- 5.4 **SCC Heritage** – The proposal seeks to regularise the materials used in the existing drive. The materials used are considered acceptable. On balance the application is recommended for approval provided no additional garden space is lost.
- 5.5 **City of Southampton Society** – No objection.
- 5.6 **(Former) Councillor Vinson** - The proposal does not comply with Council guidance on preservation of front gardens within the conservation area. Request for the application to be heard at Panel.

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 Broadly speaking the hard surfacing of part of a front garden is not considered unacceptable in principle. The main consideration will be the specific impacts of the proposed development on the site and its local context.
- 6.3 Impact on character of host dwelling and conservation area
 - 6.3.1 PRG6 of the Portswood Residents Gardens Conservation Area Appraisal and Management Plan advises that the front gardens are essential to the appearance and character of the conservation area and encroachment of additional hard standing will normally be resisted. It also notes that where surfacing or resurfacing is given consent, it should be in keeping with the existing character of the house and garden.
 - 6.3.2 With reference to the comments from the conservation team (section 5.4) on balance it is not considered that the proposed hard standing will have a significantly harmful impact on the character of the host dwelling or the conservation area given the integration of the proposed materials into the existing site, the scale of the proposed hard surfacing and the retention of the remaining garden space.

7.0 Summary

7.1 The proposal would not have a significantly harmful impact on the character or appearance of the host dwelling within the conservation area and the proposed materials would represent an improvement over the existing situation.

8.0 Conclusion

8.1 For the reasons discussed above the application is recommended for Conditional Approval.

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

1(a) (c) (d), 2 (b) (d), 4 (f) (o) (vv), 6 (c) (i), 7 (a)

JF1 for 08/07/14 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 - Materials to match [Performance Condition]

The materials used in the proposed hard standing shall match that used in the existing hard surfacing to the satisfaction of the Local Planning Authority.

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 and satisfactory visual relationship of the new development to the existing.

03. APPROVAL CONDITION - Approved Plans

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

REASON:

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

POLICY CONTEXT

Core Strategy - (January 2010)

CS13	Fundamentals of Design
CS14	Historic Environment
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
HE1	New Development in Conservation Areas

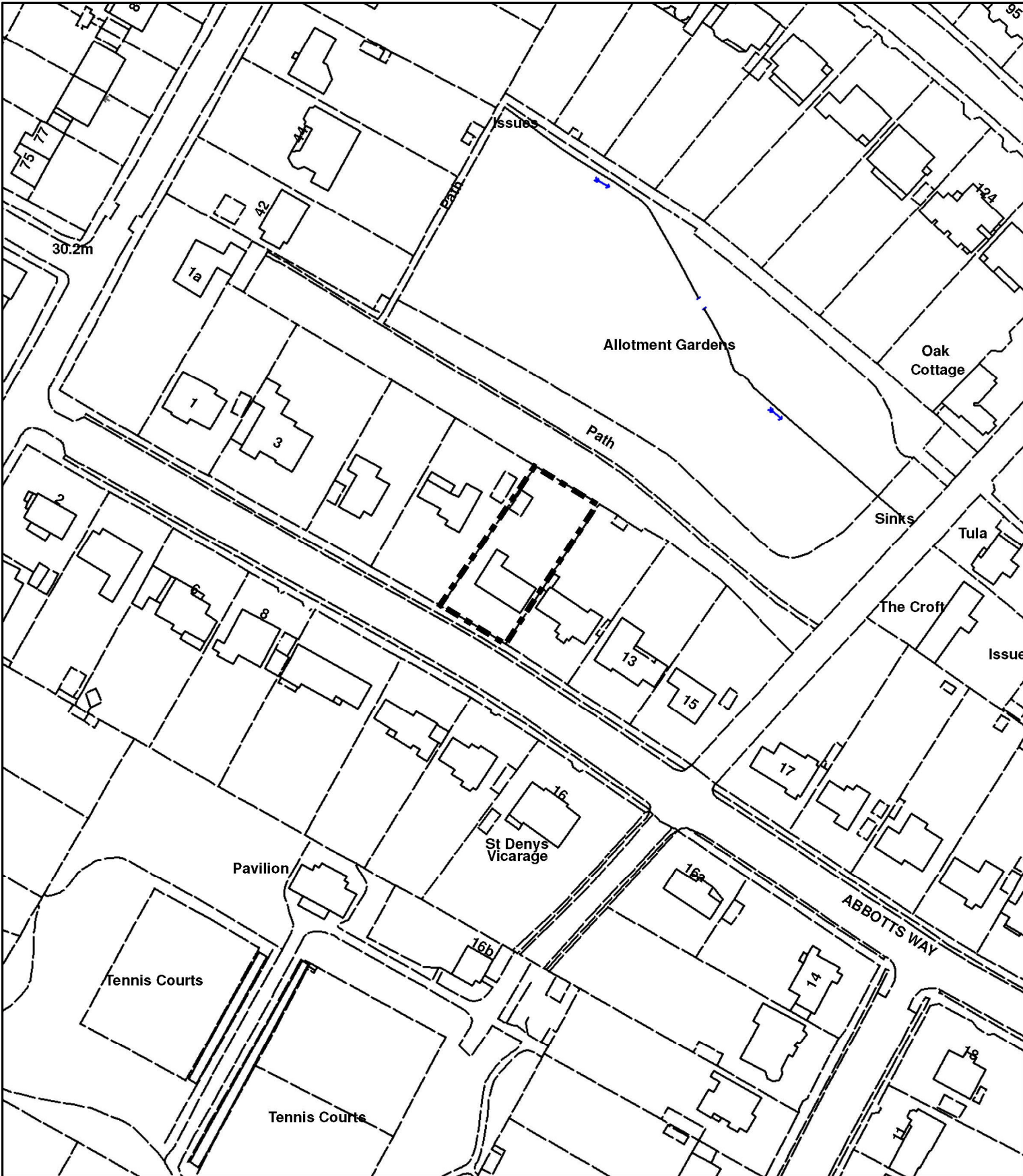
Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)
Planning Obligations (Adopted - September 2013)
Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework 2012
The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

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Scale: 1:1,250

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