

**Planning, Transport and Sustainability Division  
 Planning and Rights of Way Panel (East) 5 May 2015  
 Planning Application Report of the Planning and Development Manager**

<b>Application address:</b> 20 Anson Drive			
<b>Proposed development:</b> Erection of a two-storey, detached dwelling with associated parking and cycle/refuse storage (outline application seeking approval for access, appearance, layout and scale)			
<b>Application number</b>	15/00041/OUT	<b>Application type</b>	OUT
<b>Case officer</b>	John Fanning	<b>Public speaking time</b>	5 minutes
<b>Last date for determination:</b>	10.03.2015	<b>Ward</b>	Sholing
<b>Reason for Panel Referral:</b>	Request by Cllr Hecks on the basis that the prominence of the structure would be overbearing and intrusive.	<b>Ward Councillors</b>	Cllr Blatchford Cllr Jeffery Cllr Hecks

<b>Applicant:</b> Mr and Mrs Jackman	<b>Agent:</b> RS Architectural Ltd
--------------------------------------	------------------------------------

<b>Recommendation Summary</b>	<b>Conditionally Approve</b>
-------------------------------	------------------------------

<b>Community Infrastructure Levy Liable</b>	<b>Yes</b>
---	------------

**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. Other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 Planning Permission should therefore be granted.

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, CS19, CS20 and CS22 of the Local Development Framework Core Strategy (January 2010) and National Planning Guidance contained within the National Planning Policy Framework.

<b>Appendix attached</b>	
1	Development Plan Policies

## Recommendation in Full

### Conditionally Approve

#### 1. The site and its context

- 1.1 The application site currently forms land to the side of a row of terraced dwellings and is a corner plot fronting onto a curve in Anson Drive. The site levels drop to the rear of the site, with a car parking area and garages to the rear.
- 1.2 The surrounding area is residential in nature, with a mix of different housing types including blocks of flats.

#### 2. Proposal

- 2.1 Outline planning permission for all matters except landscaping, is sought for a single detached two-storey three-bed dwelling with refuse/cycle stores and parking to the rear. Some 70sq.m of useable amenity space is provided to serve the new dwelling. The existing dwelling retains some 75sq.m of outdoor garden space.

#### 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**.
- 3.2 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 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. Relevant Planning History

- 4.1 None of relevance

#### 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 and the erection of a site notice on 30 January 2015. At the time of writing the report **nine representation** letters (with eight being copies of the same objection letter from different residences) have been received from surrounding residents.

## Summary of Comments:

- 5.2 The surrounding area is densely populated/the proposal would represent overdevelopment of the site.  
**Response:**  
The existing site has a density of 22 dwellings per hectare. Excluding the property at 20 Anson Drive the neighbouring terraced row has a density of 55 dwellings per hectare. Following the proposal the site would have a density of 44 dwellings per hectare. With reference to policy CS5, densities between 35 and 50 dwellings per hectare are typically classified as low density and suitable for lower accessibility areas. The scheme is therefore compliant in density terms and retains the necessary external garden space for both dwellings to satisfy the guidance contained with the RDG.
- 5.3 The current parking spaces to the rear are used by neighbouring residents to alleviate parking congestion. Lack of parking will exacerbate existing parking issues.  
**Response:**  
The applicant has stated that this land falls within their sole ownership. Given the apparent circumstances, it would not be reasonable of the Council to refuse to grant planning permission on the basis that the land is currently used on an unauthorised basis by people who do not have an interest in the land. The land will continue to provide parking, allocated to the associated dwellings it serves.
- 5.4 The position on the corner represents a highways safety issue.  
**Response:**  
The Highways Officer is satisfied that the proposed development has satisfactory parking and would have an acceptable impact on highway safety.
- 5.5 Building works would be inconvenient for neighbours.  
**Response:**  
Such issues would be temporary in nature and can be controlled through the use of conditions to control hours of construction (for instance).
- 5.6 The new dwelling would overshadow/overlook neighbouring properties to the rear.  
**Response:**  
With reference to section 2.2.7 of the Residential Design Guide, in order to protect outlook the Council would typically expect a set-back of at least 12.5m between the rear wall of a two-storey dwelling and the side wall of another dwelling with habitable room windows (increasing by an additional 1m for each 1m change in site levels). The proposed dwelling is set 27m from the side wall of the dwelling to the rear.
- 5.7 Planning permissions for single and two-storey extensions in the local area have been refused in the past.  
**Response:**  
Each application must be considered on its individual merits at the time of submission with reference to relevant local and national policy at the time. This corner site has an unusually large garden with a unique shape for this context.
- 5.8 The detached nature of the dwelling would be out of character with other properties in the surrounding area.

**Response:**

The character of the area is largely terraced in nature, although given the corner location and the appearance of being linked detached (despite a slight gap) it is considered that the introduction of a building of similar architecture to its neighbours will not result in harm to the wider street scene.

- 5.9 **Cllr Hecks** – Discrepancies between submitted plans. Additionally the site is positioned prominently in the surrounding street scene and would be overbearing and intrusive. Site levels are not clearly identified in submitted drawings.

Note: Amended plans have been submitted to address discrepancies noted. A planning condition can be added to secure appropriate ground levels and an eaves line that matches the neighbouring dwelling.

5.10 **Consultation Responses**

- 5.11 **SCC Highways** – No objection following submission of amended plans to include 2m vision splay from parking spaces.

- 5.12 **SCC Sustainability Team** – No objection, apply recommended conditions to secure Code for Sustainable Level 4..

- 5.13 **CIL** - The development will become CIL liable at reserved matters stage. The charge will be levied at £70 per sq m on the Gross Internal Area of the new development.

- 5.14 **SCC Environmental Health (Contaminated Land)** – No objection, conditions recommended.

- 5.15 **Southern Water** – No objection. Noted presence of a sewer near proposal which will need to be clarified by applicant.

6. **Planning Consideration Key Issues**

- 6.1 The key issues for consideration are listed below:

- Principle of Development;
- Highways and Parking;
- Design and impact on established character;
- Impact on adjoining residential amenity;
- Proposed residential environment; and
- Solent Disturbance

6.2 **Principle of Development**

- 6.3 The site is not safeguarded for any specific use and currently forms part of the garden space of the property at 20 Anson Drive. Given the positioning of the land within the street scene the proposal will effectively form a continuation of the existing road frontage.

- 6.4 On balance, given the existing use, positioning and context of the plot it is considered that the creation of a residential dwelling in this location is broadly acceptable. As such the main issue to be considered is the specifics of the proposal and how they relate to the circumstances of the site.

## 6.5 Highways and Parking

6.6 The application proposes an alteration of the existing layout, including the widening of a dropped kerb, to create 2 parking spaces for the proposed new unit (whilst retaining 1 parking space for the existing dwelling in the existing parking courtyard). As outlined in the Parking SPD the maximum parking provision for a 2/3-bed unit is 2 spaces. On balance it is felt that taking this into account the provision of on-site parking is appropriate.

6.7 The application includes provision for refuse and cycle storage to the rear with access from the public footpath via a gate and up to the main garden via steps. A condition is recommended to secure alternative provision.

## 6.8 Design and Impact on Established Character

6.9 The proposed dwelling is situated as a continuation of the existing terraced row to the south-west. The terraced properties step back in pairs with the road towards the corner. The new dwelling is similar in scale and design to the terraced dwellings and necessarily continues the step back from the front of the neighbouring property due to the curvature of the road.

6.10 The property at 20 Anson Drive has an existing single storey side extension, resulting in a gap between the properties which is not characteristic of the neighbouring terraced dwellings. The existing garden is quite open to the neighbour street, meaning that any boundary treatment along this section would need to be carefully considered. However, on balance, it is not felt that the proposal will have a significantly harmful impact on the character of the local area given the existing context within the street scene.

## 6.11 Impact on Neighbouring Residential Amenity

6.12 With reference to the comments made above, on balance it is not considered that the property will have a significantly harmful impact in terms of the property to the rear. Taking into account the set back across the road the proposal is not considered to represent significant harm when compared to the existing situation to the other properties across the road.

6.13 The main impact of the proposal will fall on the occupier of the property at 20 Anson Drive (currently falling within the ownership of the applicant). Due to the set back from the front of the neighbouring property the proposed structure would protrude somewhat to the rear. However, when taking into account the set-back provided between the properties by the single storey extension to 20, it is not considered that the proposal will significantly impact on the outlook from the rear facing windows.

6.14 The property has a number of side facing windows. The applicant has confirmed that these windows serve the landing/staircase. Given the forward position of these windows minimising the impact of the proposal (and that they do not serve habitable rooms) on balance it is not felt that this relationship results in such significant harm as to justify a reason for refusal.

6.15 The main impact will be the loss of the associated garden space which originally fell

within the plot of 20 Anson Drive. Following the application the property at number 20 will retain 70sq.m of useable amenity space (plus a small area between the two properties behind the single storey rear extension). This is felt to be a reasonable provision to meet the requirements of the original occupants and meets our standards.

6.16 Residential Environment

6.17 The layout of the development has been designed such that all of the rooms have adequate outlook and light. The space in the garden is proposed to be subdivided to ensure a private amenity space to the rear of the property. As part of any follow up application for landscaping under a reserved matters application the boundary treatment along the Anson Drive frontage will need to be carefully controlled to ensure it retains the privacy of the host occupants without appearing overbearing on the immediately adjoining pavement and as such a condition is recommended to require further details.

6.18 Each habitable room will achieve acceptable outlook, daylight and ventilation; and each dwelling has its own front garden with defensible space in front of habitable rooms, and private garden space.

6.19 The amenity space is a slightly unusual size which somewhat limits the usefulness of some of the space, however considering the amount provided and additional provision of cycle and refuse stores to the rear, which avoids taking up more of this space, on balance it is considered that the provision is acceptable.

6.20 Solent Disturbance

The Conservation of Habitats and Species Regulations 2010 (as amended) provides statutory protection for designated sites, known collectively as Natura 2000, including Special Areas of Conservation (SAC) and Special Protection Areas (SPA). This legislation requires competent authorities, in this case the Local Planning Authority, to ensure that plans or projects, either on their own or in combination with other plans or projects, do not result in adverse effects on these designated sites. The Solent coastline supports a number of Natura 2000 sites including the Solent and Southampton Water SPA, designated principally for birds, and the Solent Maritime SAC, designated principally for habitats. Research undertaken across south Hampshire has indicated that current levels of recreational activity are having significant adverse effects on certain bird species for which the sites are designated. A mitigation scheme, known as the Solent Disturbance Mitigation Project (SDMP), requiring a financial contribution of £172 per unit has been adopted. The money collected from this project will be used to fund measures designed to reduce the impacts of recreational activity. The applicants have made a payment of £172 and this application therefore meets the requirements of the Conservation of Habitats and Species Regulations 2010 (as amended).

**7. Summary**

7.1 The proposed scheme provides an acceptable residential environment for future occupiers without significantly affecting neighbouring amenity or the character of the local area. A suitable balance has been achieved between securing additional

housing, parking and on-site amenity space, whilst ensuring that existing residential amenity is protected.

## **8. Conclusion**

8.1 For the reasons discussed above, it is considered that planning permission can be granted for this new dwelling.

### **Local Government (Access to Information) Act 1985**

#### **Documents used in the preparation of this report Background Papers**

1(a), 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).

### **JF for 05.05.15 PROW Panel**

#### **Planning Conditions**

##### **01. APPROVAL CONDITION - Outline Permission Timing Condition**

Outline Planning Permission for the principle of the development proposed and the following matters sought for consideration, namely the layout of buildings and other external ancillary areas, the means of access (vehicular and pedestrian) into the site and the buildings, the appearance and design of the structure, the scale, massing and bulk of the structure, is approved subject to the following:

- (i) -Written approval of the details of the following awaited reserved matters shall be obtained from the Local Planning Authority prior to any works taking place on the site; and
  - the landscaping of the site specifying both the hard, soft treatments and means of enclosures with an ongoing management plan.
- (ii) An application for the approval of the outstanding reserved matters shall be made in writing to the Local Planning Authority before the expiration of three years from the date of this Outline Permission
- (iii) The development hereby permitted shall be begun either before the expiration of five years from the date of this Outline permission, or before the expiration of two years from the date of approval of the last application of the reserved matters to be approved whichever is the latter.

Reason:

To enable the Local Planning Authority to control the development in detail and to comply with Section 91 and Section 92 of the Town and Country Planning Act 1990 (as amended).

##### **02. APPROVAL CONDITION - Details of Building Materials to be used [Pre-Commencement Condition]**

Notwithstanding the information shown on the approved drawings and application form no development works shall be carried out unless and until a written schedule of external materials and finishes has been submitted to and approved in writing by the Local Planning Authority. Development shall be implemented only in accordance with the agreed details. These shall include full details of the manufacturers, types and colours of the external materials to be used for external walls, windows, doors and the roof of the proposed buildings.

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.

### 03. APPROVAL CONDITION - Boundary Treatment [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 retained thereafter.

Reason:

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

### 04. APPROVAL CONDITION - Cycle and Refuse Storage [Pre-Occupation Condition]

Prior to occupation of the dwelling hereby approved full details of the proposed cycle and refuse storage including access routes shall be agreed in writing with the Local Planning Authority. The refuse and cycle stores shall be implemented in accordance with the agreed details prior to the first occupation of the dwelling hereby approved and retained as such thereafter unless otherwise agreed in writing with the Local Planning Authority.

Reason:

To encourage sustainable modes of transport and in the interests of visual amenity.

### 05. APPROVAL CONDITION - Use of Uncontaminated Soils and Fill [Performance 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.

### 06. 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.



07. APPROVAL CONDITION - Code for Sustainable Homes [Pre-Commencement Condition]

Before the development commences, written documentary evidence demonstrating that the development will achieve at minimum Level 4 of the Code for Sustainable Homes in the form of a design stage assessment, shall be submitted to the Local Planning Authority for its approval, unless an otherwise agreed timeframe is agreed in writing by the LPA.

Reason:

To ensure the development minimises its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

08. APPROVAL CONDITION - Code for Sustainable Homes [Performance Condition]

Within 6 months of any part of the development first becoming occupied, written documentary evidence proving that the development has achieved at minimum Level 4 of the Code for Sustainable Homes in the form of post construction assessment and certificate as issued by a legitimate Code for Sustainable Homes certification body, shall be submitted to the Local Planning Authority for its approval.

Reason:

To ensure the development has minimised its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

09. 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.

10. APPROVAL CONDITION – Levels

No development shall take place until a plan showing the proposed ground and eaves level of the approved dwelling have been submitted to and agreed in writing by the Local Planning Authority. The development shall be constructed in accordance with the agreed details.

Reason:

As the site has a change in level and to ensure that the eaves level of the approved dwelling matches that of the existing neighbour at 20 Anson Road.

#### 11. 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**

Adopted Core Strategy (January 2010)

CS4 (Housing Delivery)  
CS5 (Housing Density)  
CS13 (Fundamentals of Design)  
CS19 (Car and Cycle Parking)  
CS20 (Climate Change)  
CS22 (Promoting Biodiversity and protecting habitats)

City of Southampton Local Plan Review (March 2006)

SDP1 (Quality of Development)  
SDP4 (Development Access)  
SDP5 (Parking)  
SDP7 (Context)  
SDP8 (Urban Form and Public Space)  
SDP9 (Scale, Massing and Appearance)  
SDP10 (Safety and Security)  
SDP12 (Landscape and Biodiversity)  
H1 (Housing Supply)  
H2 (Previously Developed Land)  
H7 (The Residential Environment)  
H8 (Housing Density)

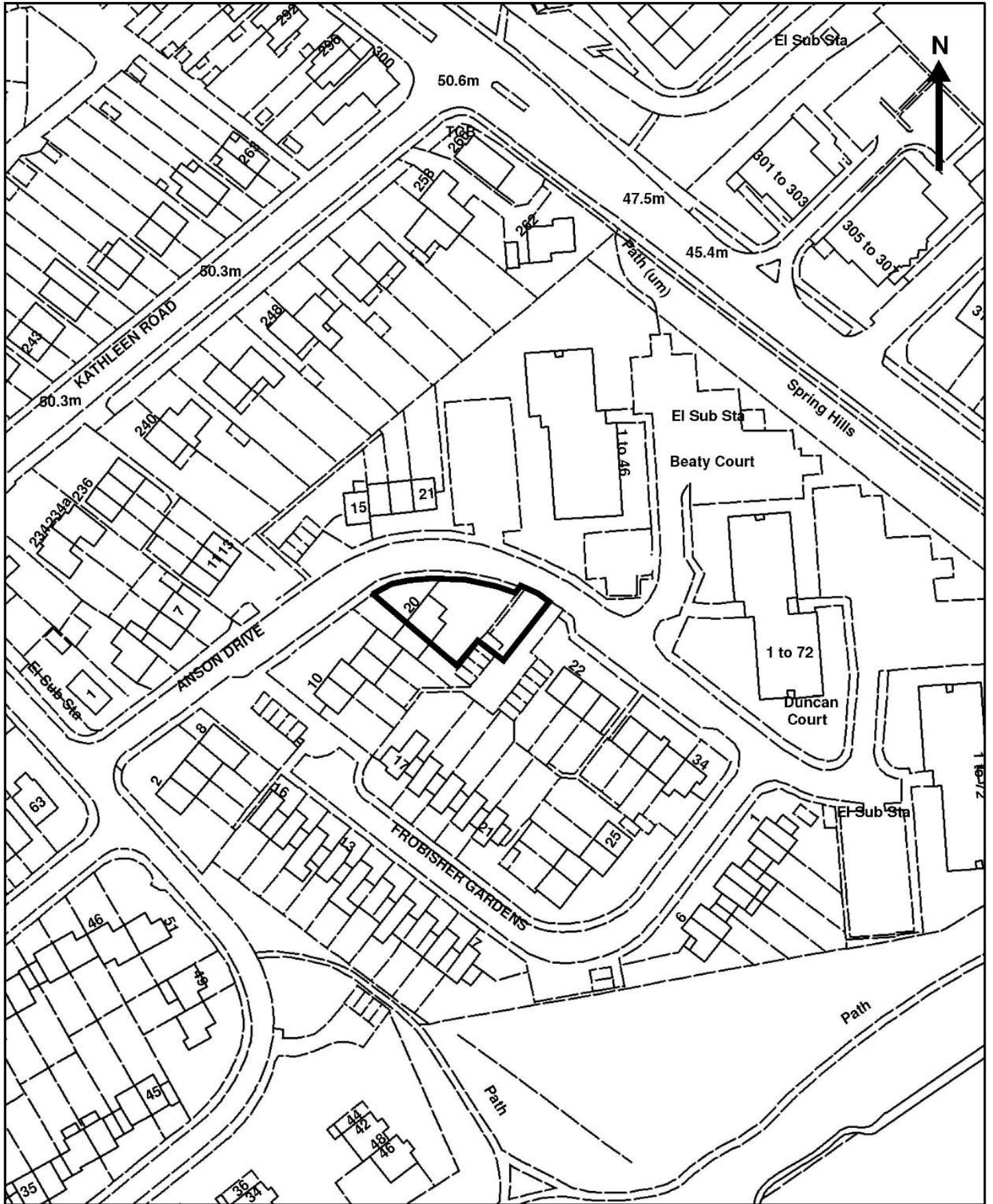
Supplementary Planning Guidance

Residential Design Guide (Approved – September 2006)  
Parking Standard SPD (September 2011)

Other Guidance

The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

# 15/00041/OUT



Scale: 1:1,250

©Crown copyright and database rights 2014 Ordnance Survey 100019679

