

**Planning, Transport & Sustainability Division
 Planning and Rights of Way Panel 14 July 2015
 Planning Application Report of the Planning and Development Manager**

Application address: 32 Archers Road, Southampton			
Proposed development: External alterations to facilitate conversion of existing private members club into retail (class A1) on ground floor and 4x 2-bed flats on first and second floor, with roof terraces, parking and cycle/refuse storage			
Application number	15/00824/FUL	Application type	FUL
Case officer	Anna Lee	Public speaking time	5 minutes
Last date for determination:	07.07.2015	Ward	Bargate
Reason for Panel Referral:	Request by Ward Member or five or more letters of objection have been received	Ward Councillors	Cllr Bogle Cllr Noon Cllr Tucker
Referred by:	N/A	Reason:	N/A

Applicant: Brightbeech Property Ltd	Agent: Savills
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Recommendation Summary	Delegate to Planning and Development Manager to grant planning permission subject to criteria listed in report
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Community Infrastructure Levy Liable	Yes
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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. The development is considered to satisfactorily address highway safety, impact on residential amenity (noise and privacy) and the character of the area for the reasons given in the report to the Planning & Rights of Way Panel on 14th July 2015. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and 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, SPD 4, SDP5, SDP11, SDP12, SDP16, H1, H2, H5 H7 and REI8 of the City of Southampton Local Plan Review (March 2006) and CS4, CS6, CS13, CS16, CS18, CS19, CS20 and CS25 of the Local Development Framework Core Strategy Development

Appendix attached			
1	Development Plan Policies	2	Relevant Planning History

Recommendation in Full

1. Delegate to the Planning and Development Manager to grant planning permission subject to:
 - a) an amended scaled plan showing the front car park with a boundary hedge to the site's Archers Road frontage - detailing the species, planting density and height of hedging to be installed with a commitment to ongoing management; and,
 - b) 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, including any necessary Traffic Regulation Orders to facilitate any changes, in line with Policy SDP4 of the City of Southampton Local Plan Review (as amended 2015), policies CS18 and CS25 of the adopted LDF Core Strategy (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013);
 - ii. 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.
 - iii. Financial contributions towards Solent Disturbance Mitigation in accordance with policy CS22 (as amended 2015) of the Core Strategy and the Conservation of Habitats and Species Regulations 2010.
 - iv. The submission, approval and implementation of (i) a Construction Traffic Management Plan and (ii) post Construction Servicing Management Plan setting out the delivery times and other measures to prevent conflicts with neighbouring users of the road network so as to mitigate against the impact of development accordance with policy CS18 and CS25 of the Core Strategy (as amended 2015) and the Planning Obligations SPD (September 2013).

In the event that the legal agreement is not completed within two months of date of the decision 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.

2. That the Planning and Development Manager be given delegated powers to add, vary and /or delete relevant parts of the Section 106 agreement and/or conditions as necessary.

1.0 The site and its context

- 1.1 The application site comprises a characterful two storey detached building, albeit with a third floor of accommodation, which has a current lawful use as a private members club with staff accommodation in the roof space. The existing building is attractive due to its turret feature and bay windows. The building adds to the mixed character of Archers Road but is in need of refurbishment. There are flats

adjacent on either side at Hadley Court immediately to the west and Walton Court to the east. Bannister Primary School is opposite the site. There is a large forecourt area to the front of the site and a car parking area to the rear, which is lawfully used for a private car park as spaces are leased separately from the building use. Archers Road is characterised by large detached buildings with good boundary screening from the street, including mature trees.

2.0 Proposal

- 2.1 The proposal is for a change of use from a private members club to a mixed-use scheme comprising an A1 convenience store of 423sq.m at ground floor, with 4 no.2 bed flats located at first and second floor. This equates to a density of 31 dwellings per hectare. This existing private parking area to the rear is to remain and does not form part of the application site, although 5 of the 45 spaces have been allocated to the residential use. The access to all the residential units is via the existing side entrance which fronts the accessway to the rear of the site. Three units are provided at first floor level with access for two units via the shared amenity space at first floor. The rear unit has private amenity space to the rear. The two amenity areas will be screened to prevent overlooking between the existing and proposed residential properties. At second floor a further unit has been proposed which also has access to the shared amenity space. Each of the units are two-bed, one of the front units and the second floor unit have a separate lounge and kitchen. The other two units are smaller and have their own lounge/kitchen/diner.
- 2.2 Eight parking spaces have been provided for the four flats (ie. 2 spaces per flat), with three of these spaces provided adjacent to the side elevation and accessway and five of these spaces within part of the rear parking area. There is a secure cycle area to the rear of the unit next to the three parking spaces and a residential refuse store is also located next to the side elevation fronting the accessway. There are minor changes proposed to the elevations which involve blocking up some windows at ground floor and first floor mainly on the side elevation to prevent overlooking and to improve the shop layout. The terrace areas are also an addition but overall the property is to be refurbished to bring it back into full use.
- 2.3 In terms of the retail area 10 parking spaces are proposed via an altered vehicular entrance to provide one sole access instead of the existing dual access. Refuse storage for the store is provided to the rear. Delivery vehicles can enter and leave the site in a forward gear to enable loading and unloading. A total of 20 jobs are to be created (5 of which would be full time).

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 (as amended 2015) and the City of Southampton Core Strategy (as amended 2015). The most relevant policies to these proposals are set out at **Appendix 1**.
- 3.2 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 There have been a number of applications approved in connection to the current use of the site. **Appendix 2** refers in more detail. The most relevant is application is 08/01129/ELDC which sought lawful use as a private members club with an associated car park, staff accommodation at third floor and stewards recreational enclosed space at rear of building. However, the most recent application is for the lawful development certificate approved last year.

4.2 An application for a lawful development certificate (LPA 14/02063/ELDC) was made last year and sought to regularise the use of the rear car park for use as private parking.

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 (22.05.2015). At the time of writing the report **10** (including two Councillors) representations have been received from surrounding residents. The following is a summary of the points raised:

5.2 Concerned about the lack of parking for the housing/retail unit

Response

Eight spaces are provided for the four two-bed units which is the maximum parking allowed as set out in the Council's adopted Parking Standards Supplementary Planning Document 2011. In terms of the retail element 10 spaces are provided. Although 21 spaces are the maximum number of spaces that could be provided there are a large number of residential properties within walking distance of the site and due to the site's accessible nature no objection on these grounds has been raised by highway officers.

5.3 Increases the level of congestion along Archers Road and harms pedestrian safety

Response

Any development has an impact on the highway network and a highway safety improvement package is being sought as part of the S106 legal agreement to help mitigate against any potential highway safety issues. No objection has been raised by Highway Officers on these grounds. There is a pedestrian crossing in very close proximity to the site.

5.4 Noise and litter

Response

To mitigate noise the Environmental Health Officer has suggested reducing the terminal hour for the shop from 11pm to 10pm but has not objected on other noise grounds. Their comments form a material consideration in this case. The hours of use are to be secured (and monitored for enforcement purposes) via the suggested planning condition. The existing use to be replaced also has the capacity to make noise and cause disturbance. With respect to litter a condition securing refuse bins outside the shop is suggested to prevent littering. The planning system has to plan for reasonable behaviour and on that basis this

scheme is compatible with its context.

5.5 Overlooking

Response

The proposal is for a change of use and some of the windows fronting the side elevation of Walton Court serve proposed habitable rooms. The outlook distances required between three storey buildings is 15m and 12m is secured at the narrowest part widening to 17m to the rear. Although the distance is less than required the windows are existing and the proposal is bringing a building back into use. There are no adopted standards for side to side windows (although a separation distance of 21 metres is used as a general rule when assessing back to back separation distances). In terms of Hadley Court many of the existing windows along the application building adjacent to 34 Archers Road are being blocked up or are proposed to be obscured glazed preventing a detrimental loss of privacy. A privacy screen is also proposed to prevent overlooking from the amenity space into the properties at Walton Court and Hadley Court which mitigates the wider impact of intensifying the residential use of the site.

5.6 Out of character

Response

The existing property and the rear car park are already commercial premises so although it is a different use the character of the area will not change dramatically. The reuse of this attractive building should be encouraged in principle.

Consultation Responses

5.7 **SCC Highways** – No objection subject to the satisfactory completion of the S106 agreement. If the level of financial contribution sought is not provided this application does not have the support of the highways team. This development, opposite the school, has triggered the need to provide additional highway safety measures. In addition conditions to secure the parking layout in line with the approved plans and details of the access point and site lines to be provided are suggested.

5.8 **SCC Sustainability Team** – No comments

Officer comment

The retail element is below the 500sq.m threshold for securing BREEAM 'Excellent' (Building Research Establishment Environmental Assessment Methodology) and the Code for Sustainable Homes requirements are not applied to conversion schemes.

5.9 **SCC Environmental Health (Pollution & Safety)** – An objection has been received on the basis of the intended hours 07.00 to 23.00 hours, which are considered excessive in this predominantly residential area, particularly considering that deliveries may start at 06.00 hours. A more acceptable range would be 07.00 to 22.00 hours. These hours would allow the local shop to provide a service for local residents rather than catching the passing late night trade. Consideration also needs to be given to the siting of any air con units and the quality of sound insulation between the retail and the residential elements, if the application is granted.

Officer comment

Conditions are suggested to restrict opening times and the S.106 can secure

further details of deliveries to prevent disturbance to neighbours and also to prevent conflict with the schools start and finish times.

- 5.10 **Southern Water** – No objection subject to an informative requiring connection to the public sewerage system.

6.0 Planning Consideration Key Issues

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

- Principle of development;
- Design and amenity;
- Highway Safety and Parking;
- Landscaping and tree protection;
- Development Mitigation

6.2 Principle of Development

- 6.2.1 The application site is not an allocated site within the Council's Development Plan, but it is located within an area with other residential and non-residential premises. The proposal provides housing units and the proposed residential density of 31 dph is lower than the 50-100 dwellings per hectares set out for this area in policy CS5 of the Core Strategy; partly due to the mixed use nature of the proposal and because the proposal is for the conversion of an existing building. The NPPF introduces a presumption in favour of sustainable housing development. Retaining and utilising the existing building is welcomed and the principle of the proposal is generally supported. The development would create additional housing stock for Southampton as well as providing a mixed use development.

6.2.2

The loss of the private club and conversion to residential use is not judged to amount to the loss of a community facility and therefore the scheme is not contrary to paragraph 70 of the NPPF or LDF Policy CS3. The applicant also considers that the use of the club is different to a community centre where typical community use facilities are found and Officers agree. The city centre is with walking distance and it provides adequate facilities in the area for community use. The Bannister Primary School (opposite) is also party to a community use agreement as part of its permission to redevelop. The building has not been listed as a community asset and it is also noteworthy that objectors to the scheme have not raised the loss of the facility as a significant local concern. There is little public interest in the matter to suggest that an alternative viable use should not be considered in this case.

6.3 Design and Amenity

- 6.3.1 The proposed residential flats are accessed via the side elevation adjacent to the vehicular access to the rear of the site. This arrangement does not provide the best location for a safe and convenient entrance for the development, but as this proposal is for a conversion a side access is acceptable. The existing building is retained and only slightly altered by blocking existing windows, but these changes do not detract from the attractive nature of the building. All residential flats have access to the shared amenity space in the form of a first floor roof terrace of approximately 70sq.m. In addition the rear unit has its own private amenity area of some 40sq.m therefore providing amenity space in line with adopted standards (of 20sq.m per flat). In reality the 2 flats with windows fronting the roof terrace are likely to take ownership of this space.
- 6.3.2 With regard to the accommodation provided all rooms have an outlook and adequate light and all units have access to the shared amenity space and the cycle and refuse storage provided.
- 6.3.3 In terms of the impact on the neighbouring residential amenity, although the proposal may have an impact on the occupiers of Walton Court, particularly as the privacy distance falls short of the distance set out in the guidance, only one habitable window faces the development at the nearest point. The impact is not, therefore, a significant one. This window serves a proposed kitchen area and is at first floor level. It looks out onto a blank wall but may have obscure views into the bedroom windows on that part of Walton's Court side elevation. This window is secondary and could be obscured if necessary although for the reason given this is not considered to be necessary. The rest of the habitable windows at first floor will be screened by the terrace screening preventing any overlooking. There are no habitable windows at second floor facing Walton Court. With respect to rear the nearest properties on Cromwell Road are over 60 metres away. The amenity of the existing neighbour at 34 Archers Road will not be affected by the proposed changes as only two obscured glazed windows face the side elevation of this property. The rear terrace area will be screened so no loss of privacy will occur.
- 6.3.4 As such, officers support the reuse of this existing building and the applicant's handling of the constraints that such an approach brings. The design changes are minimal but making more efficient use of the building is a sustainable solution. The scheme is considered to meet the design and amenity requirements of the current development plan for the reasons set out above.

6.4 Highway Safety and Parking

- 6.4.1 Archers Road is a class C public highway and high volumes of traffic use this route, and queuing traffic at peak times is normal. Bannister Park Primary school, located on the opposite side of the road, does add to peak time congestion, particularly the during the morning peak. There is a pedestrian traffic light controlled crossing to the west of the site which benefits the school, and other local pedestrians cross away from the traffic signals at the next junction to the east at Carlton Road.
- 6.4.2 The school has encountered problems historically with parents parking nearby at the start and end of the school day, but it is hard to prove that this proposal will exacerbate this current situation further. Currently, at the site to the rear there are

cars parked during the working day and the site is subject to a number of existing turning movements during the morning peak. These do not seem to have contributed to any road traffic incidents. The proposal will generate turning movements throughout the day, although it is normally traffic passing by which use a convenience store such as this, rather than the site generating additional trips along this road.

6.4.3 Local residents have raised concerns that parents may use the car park to drop off and pick up pupils, but this is something the end user of the site will need to self-manage, as the Local Planning Authority has no control over this. It is possible that some children, when leaving school, or starting school, may wish to use the shop, either accompanied by parents or on their own, should this be the case there is a pedestrian controlled crossing available for their use outside of the school.

6.4.4 There is a concern that delivery vehicles may be inclined to stand on the highway to deliver, the application does show delivery vehicles are able to turn on site and make their deliveries from a designated loading area, to support this requirement, a Traffic Regulation Order is proposed, and if it is successful, will prevent deliveries from occurring at the roadside at any time, as enforcement would then be possible. However, this cannot be guaranteed until the order is decided, but is strongly supported by highway officers. This requirement falls within the Section 106 Legal Agreement as well as a package of highway safety measures to improve and safeguard highway safety. A planning condition is also recommended to secure deliveries take place as proposed (ie. to the rear of the building). As such, the proposed scheme is considered to have addressed the highway safety issues arising from introducing a mixed use development opposite an existing school.

6.4.5 In terms of the proposed parking the scheme provides 2 parking spaces per flat and 10 spaces for the retail unit. Both are policy compliant with the residential use achieving the maximum requirement. A parking stress survey has not been requested as Archers Road is currently enforced with double yellow lines and nearby streets are the subject of controlled parking zones. These are located some distance from the site where residents are unlikely to choose to leave their cars. Given the sustainable location of the scheme the proposed level of parking to serve all uses is deemed to be acceptable.

6.5 Landscaping and tree protection

6.5.1 The character of area of Archers Road includes hedging to front boundaries. Currently this site's front area is open apart from a low brick wall. This site and street scene would be improved by the inclusion of a landscaping boundary to reduce the harsh appearance of the hard standing area to the front of the proposed store. The officer recommendation is subject to the provision of a landscape boundary as the site's appearance would be greatly enhanced by this feature. There are trees on site but they are located away from where the main works are proposed. In order to protect these trees and the trees located on the boundary on the adjacent sites a condition is suggested.

6.6 Development Mitigation

6.6.1 Due to the size of the convenience store (423sq.m) the application needs to address and mitigate the additional pressure on the social and economic

infrastructure of the city, in accordance with Development Plan policies and the Council's adopted Planning Obligations SPD (2013). With respect to this application highway safety measures are required to mitigate against the change in nature of the area between this site and the school opposite. In addition the scheme triggers the Community Infrastructure Levy (CIL).

- 6.6.2 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. When the legal agreement is signed and actioned this application will have complied with the requirements of the SDMP and met the requirements of the Conservation of Habitats and Species Regulations 2010 (as amended).

7.0 Summary

- 7.1 Overall the conversion of the building into four residential units and a convenience store is acceptable as the level of development proposed will not result in an adverse impact on the amenities enjoyed by surrounding occupiers, highway safety issues or to the character and appearance of the area. Therefore the proposals are consistent with adopted local planning policies.

8.0 Conclusion

- 8.1 As such, the application is recommended for approval subject to securing the matters set out in the recommendations section of this report and the conditions set out below

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

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

ARL for 14/07/2015 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 and finishes to be used for the infilling windows (including recesses), drainage goods and roof in the construction of the building hereby permitted shall match in all respects the type, size, colour, texture, form, composition, manufacture and finish of those on the existing building.

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 - Hours of Use – A1 use [Performance Condition]

The shop unit hereby permitted shall not operate (meaning that customers shall not be present on the premises) outside the following hours:

Monday to Sunday and recognised public holidays
07.00 hours to 22.00 hours (07.00am to 10.00pm)

Unless otherwise agreed in writing by the Local Planning Authority. A notice to this effect shall be displayed at all times on the premises so as to be visible from the outside.

Reason:

To protect the amenities of the occupiers of existing nearby residential properties and as requested by the Council's Environmental Health Officer in recognition of the potential impact of a late night use.

Note to Applicant:

The deliveries of goods to the retail unit (including timing to prevent conflict with peak hour traffic and the start and end of the school day) shall be controlled through the S.106.

04. APPROVAL CONDITION – Car parking layout & Servicing

Prior to the first occupation of the development the car parking area and delivery area shown on approved plans shall be provided, surfaced and marked out as approved. Thereafter they shall be retained in perpetuity in line with the approved plan unless otherwise agreed in writing by the Local Planning Authority. In particular:

The 8 parking spaces shall be retained as agreed for the approved residential use.

The 10 parking spaces shown to the front of the building shall be retained as agreed to serve the approved retail use

The retail unit shall take all deliveries from the approved compound the rear of the site as indicated on plan ref: 14-1083-102

Reason:

In the interest of highway safety and to secure appropriate parking and servicing to the commercial use.

05. APPROVAL CONDITION - Stopping up existing access [Pre-Commencement Condition]

Notwithstanding the approved plans prior to the commencement of the development further details of the the access alignment (including sight lines) and its construction are to be submitted to and be approved in writing by the Local Planning Authority. The development shall be carried out in line with the details to be approved. 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.

Reason:

In the interest of highway safety.

06. APPROVAL CONDITION - Storage / Removal of Refuse Material [Pre-Occupation Condition]

Before the building is first occupied full details of facilities to be provided for the storage and removal of refuse from the premises together with the provision of suitable bins accessible with a level approach shall be submitted to and approved in writing by the Local Planning Authority. The facilities shall include accommodation and the provision of separate bins for the separation of waste to enable recycling. The approved refuse and recycling storage shall be retained whilst the building is used for residential / commercial purposes.

Reason:

In the interests of visual amenity, the amenities of future occupiers of the development and the amenities of occupiers of nearby properties.

07. APPROVAL CONDITION - Litter bin [Performance Condition]

Litter bins shall be provided on the site and made available for use for the customers of the shop unit hereby approved during trading hours. These bins shall be managed by the commercial operators of the approved retail unit.

Reason:

To prevent littering in the surrounding area.

8. APPROVAL CONDITION - Cycle storage facilities

Adequate cycle storage facilities to conform to the Local Planning Authorities standards shall be submitted to and be approved in writing by the Local Planning Authority and be provided within the site before the use hereby permitted is occupied. All storage shall be permanently maintained for that purpose.

Reason:

To prevent obstruction to traffic in neighbouring roads and to encourage cycling as an alternative form of transport.

9. APPROVAL CONDITION – Amenity space screening height [Pre-commencement Condition]

Prior to the commencement of development further details of the amenity space/terrace area screening shall be submitted to and be approved in writing by the Local Planning Authority. The scheme shall provide details of materials and design for screening to a minimum height of 1.8m on the eastern and western elevations. The approved scheme shall be implemented and retained in accordance with the approved plan prior to the first occupation of the residential use unless agreed otherwise by the Local Planning Authority.

Reason:

Prevent loss of privacy and amenity to neighbouring property

10. APPROVAL CONDITION - Amenity Space Access [Pre-Occupation Condition]

The external amenity space serving the development hereby approved, and pedestrian access to it, shall be made available as a communal area prior to the first occupation of the residential use hereby permitted and shall be retained with access to it at all times for the use of the flat units.

REASON:

To ensure the provision of adequate amenity space in association with the approved flats.

11. 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.

12. APPROVAL CONDITION - Extract Ventilation - control of noise, fumes and odour [Pre-Commencement Condition]

No development shall take place until a written scheme for the control of noise, fumes and odours from extractor fans and other cooling and condenser units serving the ground floor commercial use have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and findings.

Reason:

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

13. APPROVAL CONDITION - Noise & Vibration (internal noise source) [Pre-Commencement Condition]

The use hereby approved shall not commence until the building has been modified to provide sound insulation against internally generated noise (noise includes vibration) in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The building shall be designed and maintained so that doors and windows can be kept shut, with alternative means of ventilation provided.

Reason:

To protect the amenities of the occupiers of existing nearby properties and prospective residents..

14. APPROVAL CONDITION - Landscaping, lighting & means of enclosure detailed plan [Pre-Commencement Condition]

Notwithstanding the submitted details before the commencement of any site works a detailed landscaping scheme and implementation timetable shall be submitted, which includes:

- i. proposed finished ground levels or contours; means of enclosure; car parking layouts; other vehicle pedestrian access and circulations areas, hard surfacing materials, structures and ancillary objects (refuse bins, lighting columns etc.);
- ii. planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species,

- plant sizes and proposed numbers/planting densities where appropriate – including a boundary hedge to the Archer’s Road frontage;
- iii. an accurate plot of all trees to be retained and to be lost. Any trees to be lost shall be replaced on a favourable basis (a two-for one basis unless circumstances dictate otherwise);
 - iv. details of any proposed boundary treatment, including retaining walls; and
 - v. a landscape management scheme.

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

15. 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

16. 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.

17. APPROVAL CONDITION - Contractors Compound (Pre-Commencement Condition)

No commencement of work pertaining to this permission shall be carried out on the site unless and until there is available within the site, provision for all temporary contractors buildings, plant and storage of materials associated with the development and such provision shall be retained for these purposes throughout the period of work on the site; and the provision for the temporary parking of vehicles and the loading and unloading of vehicles associated with the phased works and other operations on the site throughout the period of work required to implement the development hereby permitted in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.

Reason:

To avoid undue congestion on the site and consequent obstruction to the access in the interests of road safety.

18. 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.

19. APPROVAL CONDITION – Existing Openings

Those windows marked on the approved plans as being either bricked up in a matching brick with a recess or fitted with obscured glazing shall be changed prior to the first occupation of the development hereby approved. The building shall remain as approved.

Reason:

In the interests of protecting residential amenity and to secure an appropriate finish to the building's conversion

20. APPROVAL CONDITION – Active window frontage

The ground floor retail unit shall retain an active ground floor window frontage to Archers Road without the installation of window vinyls, graphics, shuttering or any other form of design that prevents views into and out of the shop in accordance with a scheme that shall have been agreed in writing with the Local Planning Authority ahead of the first occupation of the retail unit. The retail unit's fenestration shall be retained as agreed.

Reason:

In the interests of visual amenity and to ensure some natural surveillance of the associated car park and wider streetscene

21. 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 - (as amended 2015)

CS4	Housing Delivery
CS6	Housing Density
CS13	Fundamentals of Design
CS16	Housing Mix and Type
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS25	The Delivery of Infrastructure and Developer Contributions

City of Southampton Local Plan Review – (as amended 2015)

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP12	Landscape & Biodiversity
SDP16	Noise
H1	Housing Supply
H2	Previously Developed Land
H5	Conversion to residential Use
H7	The Residential Environment
REI8	Shopfronts

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)

Relevant Planning History

- 05/01272/FUL Conditionally Approved 13.10.2005
Erection of raised decking area to the front elevation (retrospective).
- 05/00370/FUL Conditionally Approved 02.06.2005
Installation of folding doors to the front elevation
- 06/00740/VC Refused 12.07.2006
Variation of condition 3 of Planning Permission 05/00370/FUL to extend the times the bi-fold doors remain open from 20.00 hrs until 22.00 hrs, Monday to Sunday.
- 07/01371/FUL Refused 30.10.2007
Retrospective application for raised decking area at the rear of the property with balustrade to south elevation and privacy screen fencing to east and south-east elevations.
- 08/01129/ELDC Granted 17.10.2008
Lawful use as private members club with associated car park, staff accommodation at third floor and stewards recreational enclosed space at rear of building.
- 14/02063/ELDC Granted 09.02.2015
Application for a lawful development certificate for the existing use of the private car park

15/00824/FUL



Scale: 1:1,250

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