

Planning, Transport & Sustainability Division
Planning and Rights of Way Panel 17th November 2015 (WEST)
Planning Application Report of the Planning and Development Manager

Application address: 47 - 49 Archers Road, Southampton			
Proposed development: Redevelopment of the site. Demolition of the existing buildings and erection of a three storey building to provide 10 flats (3 x one bedroom, 5 x two bedroom, 2 x three-bedroom) with associated car parking, refuse storage and landscaping.			
Application number	15/01622/FUL	Application type	FUL
Case officer	Anna Lee	Public speaking time	15 minutes
Last date for determination:	19/11/2015	Ward	Freemantle
Reason for Panel Referral:	Major planning application subject to objection, and Panel referral by Ward Member	Ward Councillors	Cllr Moulton Cllr Shields Cllr Parnell
Referred by:	Cllr Moulton	Reason:	Impact on traffic and congestion

Applicant: Golden Angel Ltd	Agent: Graham Ash Architects
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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. Other material considerations as detailed in the report to the Planning & Rights of Way Panel on 17th November 2015 have been considered including the previous reasons for refusal. The impacts of the scheme on the character of Archers Road 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 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). Accordingly the proposal complies with policies CS4, CS6, CS13, CS14, CS15, CS16, CS19, CS20, CS25 of the Core Strategy (2015) saved policies SDP1, SDP4, SDP5, SDP6, SDP7, SDP8, SDP9, SDP10, SDP11, SDP12, SDP13, SDP14, SDP15, SDP16, CLT1, H1, H2, H6, H7 and TI2 of the adopted City of Southampton Local Plan Review (Amended 2015),

Supplementary Planning Document 'Residential Design Guide' (2006), 'Developer Contributions' (2013) and 'Parking Standards' (2011) and the National Planning Policy Framework (2012).

Appendix attached			
1	Development Plan Policies	2.	Planning history

Recommendation in Full

1. Delegate to the Planning and Development Manager to grant planning permission subject to the completion of a S.106 Legal Agreement to secure:
 - i. Financial contributions towards site specific transport contributions for highway improvements in the vicinity of the site, including a new Traffic Regulation Order to limit deliveries taking place from the site's frontage, 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. Provision of affordable housing in accordance with Policies CS15, CS16 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013).
 - iv. 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.
 - v. The submission, approval and implementation of a Carbon Management Plan setting out how the carbon neutrality will be achieved and/or how remaining carbon emissions from the development will be mitigated in accordance with policy CS20 of the Core Strategy and the Planning Obligations SPD (September 2013).
 - vi. 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.

In the event that the legal agreement is not completed within three months of the decision of the Planning and Rights of Way Panel, 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. In the event that the scheme's viability is tested prior to planning permission being issued and, following an independent assessment of the figures, it is no longer viable to provide the full package of measures set out above then a report will be bought back to the Planning and Rights of Way Panel for further consideration of the planning application.

1.0 The site and its context

- 1.1 The site currently comprises a pair of two-storey detached dwellings adjacent to the Winston public house, which lies on the corner of Hill Lane and Archers Road. The

properties have open frontages for parking and are set back within the site. To the rear there are two large attractive mature gardens. On this part of Archers Road there is a mix of houses and flats with no uniform design or height. There are two large flatted blocks opposite the site including one on the corner with Hill Lane. Archers Road is characterised by large detached buildings with good boundary screening from the street, including mature trees. The site is not within a conservation area.

2.0 Proposal

- 2.1 Amended plans have been received following the original submission. The proposal seeks to demolish the two dwellings on site and redevelop the site to provide a part three and part two storey building (with accommodation in the roof). The two storey element is adjacent to the existing property at 45 Archers Road. The building is 'T' shaped and part of the rear elevation is reduced in height to single storey to reduce the impact on the neighbours. The elevational treatment is part brick and part render and the building is divided into two elements. The three storey element has two gable features, one with balconies and the other with a vertical feature windows on the other. The main entrance is central within the building under the large vertical window. The two storey element's roof is pitched and this part is solely constructed with brick. The roof has dormer windows serving the third floor and balconies are a feature on the first and second floor.
- 2.2 The proposal seeks to provide 10 flats (3 one-bed units, 5 two-bed units and 2 three-bed units). To the frontage is a parking area for 7 spaces with refuse storage. A holly hedge is proposed along the front boundary with the inclusion of Silver Birch and Quercus Fastigiata (Oak) trees. To the rear is a large landscaped garden area of 325sq.m which equates to approximately 40sq.m per flat as only eight flats would need to utilise the space as the ground floor (rear) three bed units have private amenity space (approximately 35sq.m each) directly accessed via the rear of their units. A further area of two roof terraces of approximately 13sq.m each is provided at first floor to serve the rear two units. In addition, cycle store is provided at the end of each of the two paths that run down the side of the building. The majority of existing trees can be retained within the revised garden area.

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 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 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 A previous application for a very similar development (application number 15/00272/FUL) with the same description, number and mix of units was refused under delegated powers on 19.05.2015 for four reasons (the full reasons for refusal can be found in **Appendix 2** of this report). The four reasons are summarised as follows;

- Overdevelopment/design/impact on character
- Impact on residential amenity
- Parking and turning
- Section 106 legal agreement – failure to mitigate against direct impacts

4.2 For the revised application to be considered acceptable the Planning Panel would need to agree that the revised scheme has addressed these previous reasons for refusal. A comparison summary will form part of the officer's presentation to the Panel meeting.

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 (28.08.2015) and erecting a site notice (28.08.2015). At the time of writing the report **2 representations** have been received; one from the City of Southampton Society and one from Ward Councillor Moulton. The following is a summary of the points raised:

5.2 Increases the level of congestion along Archers Road and harms road safety

Response

All residential 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. A sufficient access width has been provided to allow two cars to pass as they enter and leave the site to prevent waiting on the road. No objection has been raised by Highway Officers on these grounds and the current layout has addressed the previous concerns regarding vehicles being able to enter and exit the site in a forward gear. This application has addressed the previous reason for refusal relating to highway safety.

5.3 The proposal is poorly designed and results in over development

Response

This was previously cited as a reason for refusal on an earlier scheme, but has in the opinion of officers now been overcome. The proposed design is well detailed with an appropriate scale for the context. Its footprint has been altered. The site lies in an area that does not have uniform character and the design of the scheme has been amended to respect the character of the area by providing a pitched roof and reducing in height to the neighbouring two-storey house adjacent. The density of the scheme is much lower than the maximum set out in policy CS5 where over 100 dwellings per hectare (dph) can, in principle, be approved in this area. Only 84dph are proposed. This application has addressed the previous reason for refusal relating to design.

Note: the affected neighbours have been consulted but have not objected to this planning application.

Consultation Responses

5.4 SCC Highways - No objection subject to conditions

The proposal for 10 flats and 7 parking spaces is acceptable, as the site is well located for access to the city centre and public transport. However, the bin store is too remote for collection, it should be located closer to the front boundary to ensure refuse collectors do not need to move bins more than 10m. In addition, glass storage needs to be provided and the bins required should be 2 x 1100ltr euro bins and one 240ltr wheelie bin for glass. A condition requesting further storage details is required. The front boundary wall is shown to be 0.6m in height and a condition restricting the height to nothing higher than 0.6m to ensure emerging drivers have the opportunity to see users of the footway before leaving the site is suggested.

5.5 SCC Housing – No objection

The proposal results in a net gain of 8 new dwellings, the Council needs to seek 20% in this case 2 units (rounded up) as affordable housing in accordance with Local Plan Policy CS15.

5.6 SCC Sustainability Team – No objection

Subject to the imposition of conditions securing energy and water restriction.

5.7 SCC Archaeology - No objection subject to conditions

Number 49 Archers Road is the remaining element of a pair of semi-detached properties built between 1896 and 1909. Number 47 was built some-time after 1951, and it is assumed that the original building in this location was destroyed during WWII. None of the original doors or windows to the older property survive, and neither does the front boundary wall, which has been demolished to make way for car parking.

There would be no objection to the demolition of this property provided that the replacement building was of sufficient quality and added character to the street scene. The site lies within the Bannister's Park Local Area of Archaeological Potential. Archaeological excavation and watching briefs in the area have uncovered evidence of past occupation, ranging in date from the early prehistoric through to the Roman and Medieval periods. There is sufficient evidence from nearby developments to indicate that there is the potential for archaeological deposits to be destroyed by the development

If this application is approved conditions relating to providing a watching brief and watching brief work programme should be imposed.

5.8 SCC Environmental Health (Pollution & Safety) No objection

Subject to conditions relating to hours of work, construction management plan and dust suppression.

5.9 SCC Environmental Health (Contaminated Land): No objection

No objection subject to conditions to secure a contaminated land assessment and any required remediation measures.

5.10 SCC Tree Team – No objection

The site has a number of significant trees which have the potential to contribute to the development and wider environment within the rear garden and a tree to the north of site which has a preservation order. The proposed development could have detrimental effects on the trees within the rear of the property and neighbouring

properties. However it is not possible to assess the level of protection which will be implemented due to the lack of any tree protection documentation. Furthermore no detailed landscaping plan has been submitted which will also be required. As a result it is necessary for conditions relating to providing a detailed landscaping plan and Arboricultural Method Statement, no works to any off site trees and no storage under the tree canopy to be fulfilled prior to any works starting.

5.11 **SCC Ecology – No objection**

The application site consists of two houses with hard standing at the front and gardens with lawns and trees to the rear. The two houses are in good condition with no obvious access points for bats. A Phase 1 Bat Survey submitted in support of the previous planning application confirmed that the buildings have negligible bat roosting potential.

The gardens have some value for local wildlife with the trees providing suitable foraging habitat for bats and nesting birds. The development will result in the loss of some of this habitat and therefore a landscaping scheme that includes native and ornamental species with recognised value for wildlife should be conditioned. To avoid adverse impacts on nesting birds, which receive protection under the Wildlife and Countryside Act 1981 (as amended), vegetation should be cleared outside the nesting season which runs from March to the end of August inclusive. Where this is not possible, vegetation should be checked for active nests by a suitably qualified ecologist prior to removal. Should active nests be found they must be retained in situ and protected by a buffer zone until the young have fledged.

Artificial illumination of foraging habitat can deter bat foraging activity. All external lighting should therefore be positioned to avoid direct illumination of tree canopies and designed to minimise general light spill. Subject to the above conditions being imposed. Conditions are recommended.

5.12 **Southern Water – No objection.**

Suggests an informative is attached to the permission to make the developer aware of the requirements to connect 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:

- Background and comparison with previous scheme;
- Principle of development;
- Design and amenity;
- Highway Safety and Parking;
- Landscaping and tree protection;
- Development Mitigation

6.2 Background and comparison with previous scheme

The proposed scheme seeks to address the reasons for refusal cited for the similar scheme refused earlier this year. Although the number and mix of units remains the same the scheme has been reduced in its size of footprint at the rear both at ground and first floor. It is noted that the depth of the proposal is deeper than refused by about four metres but the shape of the building has altered. The rear projecting element has been reduced in width either side by 2.8m. The cedar cladding to the front elevation has been replaced with brick/render more in line with

other development within the vicinity. The bulk of the building has been substantially reduced by removing part of the first floor element. Habitable windows have been removed from the side elevation (except secondary kitchen windows and a condition is recommended to obscure glaze these) and the oriel windows serving a bedroom removes the need to gain outlook via third party land. All these changes have sought to reduce the impact on the adjoining public house site and the property at 45 Archers Road.

6.2.1 The frontage has been altered to include the insertion of a holly landscaped boundary ranging in width from 0.6m to 2m wide and the introduction of trees along the boundaries. The layout of the parking area is less cluttered and refuse storage has been hidden from the street scene. The access has been widened to prevent waiting on the road. All these changes have sought to address the previous reason for refusal.

6.3 Principle of Development

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 LDF Core Strategy identifies the Council's current housing need and this scheme would assist the Council in meeting its targets. The proposal provides 8 additional housing units, and the proposed residential density of 84 dph is lower than the 100+ dwellings per hectares set out for this area in policy CS5 of the Core Strategy; partly due to the requirement to retain two family-sized dwellings and garden areas. The NPPF introduces a presumption in favour of sustainable housing development and the principle of the proposal is generally supported. The development would create additional housing stock for Southampton as well as providing a mixed housing offer. A vegetative frontage along Archers Road is proposed thereby restoring part of the road's character.

6.4 Design and Amenity

The design of the proposal has been amended since originally submitted to provide gable features on the full three storey part and a pitched roof element on the two storey. These changes are positive in terms of the overall roof design. The removal of the cedar cladding is a positive change and the choice of materials; brick, render and lead finishing would complement the other developments within the streetscene. The bulk has been reduced at first floor and has not only reduced the impact on the neighbours, but also results in private amenity areas at first floor for two units. The overall scheme has been simplified by reducing the pallet of materials, adding visual interest through improved design and by providing a 'T' shaped building that reduces the bulk on the adjoining boundaries. When assessed against the reduction of width (to allow for defensible space for the ground floor units) at the back and the introduction of landscaping boundaries to the frontage the proposal has addressed the previous reason for refusal in terms of the reduction of hardstanding. As the scale, bulk and site coverage have been reduced officers feel the proposed scheme now addresses previous concerns.

6.4.1 The level of detailing in terms of balconies and dormer windows will add to the overall appearance of the building and adds to a sense of depth. The central entrance is pushed forward to highlight its location, the proposed large vertical window adds to this focal point and empathises the verticality of the other fenestration. The design is attractive and simple but picks up features of the neighbouring properties in terms of projecting elements such as the balconies and projecting box bays on both side elevations. These appear similar to the bay

windows found in the locality. In summary, although the proposal results in the loss of two residential properties it replaces them with an attractive flatted scheme and greatly enhances the frontage by reintroducing a landscaped boundary.

6.4.2 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 cycle and refuse storage is provided. Sufficient amenity is provided for all residents as an area of 325 sq.m to the rear for all units to use is provided, 34sq.m private space for each three bed unit is provided and approximately 13sq.m is provided to the rear for two of the first floor units.

6.4.3 The previous scheme was refused for the impact it had on the neighbouring property at 45 Archers Road, due, in part, to the loss of outlook to the habitable rooms at first floor on the side elevation of this affected property. The scheme has since been altered by removing the first floor element and reducing the size of the living areas and kitchens previously included. The previous scheme resulted in the Residential Design Guide's 45 degree rule being breached and the revised scheme removes the element and addresses part of the second reason for refusal. The insertion of the amenity space at first floor level will be conditioned to secure a privacy screen so that no overlooking can be achieved into the neighbouring site. The number of windows proposed on the side elevation has been reduced; only a kitchen and bedroom on each level on both side elevations are proposed. A condition is suggested to obscure the kitchen windows and the bedrooms are proposed with projecting box bays so they do not have a view into the neighbouring sites. The removal of most of the windows and with the use of the suggested condition would address the latter part of the second reason for refusal. The affected neighbours have been consulted but have not objected to this planning application.

6.4.4 As such, officers support the design changes and feel the scheme now meets the Council's high design and amenity requirements as set out in the current development plan.

6.5 Highway Safety and Parking

Archers Road is a very busy road, particularly at peak times (and is defined as a Class C). High volumes of traffic use this route, and queuing traffic at peak times is normal. The revised scheme includes parking spaces that meet our current standards and that offer sufficient on-site turning therefore preventing the need to queue on the highway to enter the site if a car is exiting the site. This layout therefore reduces the impact on the highway and addressing the third reason for refusal previously cited. Due to the sites location in close proximity to the junction with Hill Lane it is important that no delivery vehicles may be inclined to stand on the highway to deliver to these properties. 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.

6.5.1 In terms of the proposed parking layout, the scheme provides 7 parking spaces and in this location this number of parking spaces is acceptable. 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. With respect to cycle storage there are two areas to house bikes both are located at either side of the building accessed via the side. Refuse storage has also been provided to the front adjacent to the shared boundary with the Winston Public house. These facilities are to be secured by suggested conditions. No Highways objection has been raised to the proposal on parking or highway safety grounds. A S106 legal agreement is proposed to deal with any site specific issues.

6.6 Landscaping and tree protection

The character of the area includes hedging to front boundaries. Currently this site's front area is open apart from a low brick wall and hedging adjacent to number 45 Archer Road. This site and street scene would be improved by the inclusion of a landscaping boundary to reduce the harsh appearance of the hardstanding area proposed for the parking area. The scheme has been amended to include this and will be secured via a landscaping condition. There are a number of significant shrubs and trees in the rear garden and conditions are suggested to protect these. Many of the trees to the rear are located away from where the main works are proposed, but as no information has been provided and in order to protect these trees (and the trees located on the boundary on the adjacent sites) a condition is suggested to secure further detail.

6.7 Development Mitigation

As with all major development 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). Given the wide ranging impacts associated with a development of this scale, an extensive package of contributions and obligations is proposed as part of the application. The main areas of contribution for this development, in order to mitigate against its wider impact, are highway and affordable housing contributions. In terms of highway contributions, contributions towards a traffic regulation order to create a 'no deliveries at any time' restriction on the highway near the site, improvements to the pedestrian environment which will include road markings, signage, and minor re-alignment of kerbing to assist with highway safety. With respect to the affordable housing policy requirement the contribution from this site is 2 units. Southampton City Council will work with a Registered Social Landlord (RSL) to find applicable tenants/occupiers. In the event that the viability of the scheme is affected by this level of provision the whole scheme would be reassessed and reported back to the Planning and Rights of Way panel for further consideration.

6.7.1 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 £174 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 revised scheme addresses the previous reasons for refusal. The redevelopment of the site for the 10 residential units proposed for this scheme 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.
- 7.2 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 17/11/2015 PROW Panel

PLANNING CONDITIONS

1. 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).

2. APPROVAL CONDITION - Details of building materials to be used

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. It is the Local Planning Authority's practice to review all such materials on site. The developer should have regard to the context of the site in terms of surrounding building materials and should be able to demonstrate why such materials have been chosen and why alternatives were discounted. If necessary this should include presenting alternatives on site.

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.

3. APPROVAL CONDITION - Archaeological watching brief

No development shall take place within the site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority.

Reason:

To ensure that the archaeological investigation is initiated at an appropriate point in development procedure.

4. APPROVAL CONDITION - Archaeological watching brief work programme

The developer will secure the completion of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority.

Reason:

To ensure that the archaeological investigation is completed.

5. APPROVAL CONDITION - Energy & Water [Pre-Commencement Condition]

Before the development commences, written documentary evidence demonstrating that the development will achieve at minimum 19% improvement over 2013 Dwelling Emission Rate (DER)/ Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of a design stage SAP calculations and a water efficiency calculator 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).

6. APPROVAL CONDITION- Energy & Water [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 19% improvement over 2013 Dwelling Emission Rate (DER)/ Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of final SAP calculations and water efficiency calculator and detailed documentary evidence confirming that the water appliances/fittings have been installed as specified 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).

7. APPROVAL CONDITION - Storage / Removal of Refuse Material

Before the building is first occupied full details of facilities to be provided for the storage and removal of refuse from the premises including a refuse management plan 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.

8. APPROVAL CONDITION - Cycle storage facilities [Pre-Commencement Condition]

Adequate cycle storage facilities to conform to the Local Planning Authorities standards shall be provided within the site before the development hereby permitted commences and such parking and 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 - Demolition Statement [Pre-Commencement Condition]

Precise details of the method and programming of the demolition of the existing property shall be submitted to and approved by in writing by the Local Planning Authority prior to the implementation of the scheme. The agreed scheme shall be carried out to the details as specified in the demolition programme unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interests of the amenity of adjacent residential properties.

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

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

Reason:

To protect the amenities of users of the surrounding area.

11. APPROVAL CONDITION - Noise & Vibration (external noise sources)

Construction work shall not begin until an acoustic report and written scheme to protect the proposed development in terms of habitable rooms, balconies, roof terraces and gardens from external noise sources (noise includes vibration) including transportation noise, has been submitted to and approved in writing by the Local Planning Authority. All works which form part of the scheme shall be completed and be available for use before any part of the development is occupied.

Reason:

To protect the occupiers of the development from excessive external noise

12. APPROVAL CONDITION- Land Contamination investigation and remediation

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved by the Local Planning Authority. That scheme shall include all

of the following phases, unless identified as unnecessary by the preceding phase and approved in writing by the Local Planning Authority:

1. A desk top study including;
 - historical and current sources of land contamination
 - results of a walk-over survey identifying any evidence of land contamination
 - identification of the potential contaminants associated with the above
 - an initial conceptual site model of the site indicating sources, pathways and receptors
 - a qualitative assessment of the likely risks
 - any requirements for exploratory investigations.
2. A report of the findings of an exploratory site investigation, characterising the site and allowing for potential risks (as identified in phase 1) to be assessed.
3. A scheme of remediation detailing the remedial actions to be taken and how they will be implemented.

On completion of the works set out in (3) a verification report shall be submitted to the Local Planning Authority confirming the remediation actions that have been undertaken in accordance with the approved scene of remediation and setting out any measures for maintenance, further monitoring, reporting and arrangements for contingency action. The verification report shall be approved by the Local Planning Authority prior to the occupation or operational use of any stage of the development.

Any changes to these agreed elements require the express consent of the local planning authority.

Reason:

To ensure land contamination risks associated with the site are appropriately investigated and assessed with respect to human health and the wider environment and where required remediation of the site is to an appropriate standard.

13. APPROVAL CONDITION - Use of uncontaminated soils and fill

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.

14. 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.

15. 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.

16. APPROVAL CONDITION - Arboricultural Method Statement

No operation in connection with the development hereby permitted shall commence on site until a site specific Arboricultural Method Statement in respect of the protection of the trees during all aspects of work on site is submitted and agreed in writing by the Local Planning Authority. It will be written with contractors in mind and will be adhered to throughout the duration of the demolition and development works on site. The Method Statement will include the following:

1. A specification for the location and erection of protective fencing around all vegetation to be retained
2. Specification for the installation of any additional root protection measures
3. Specification for the removal of any built structures, including hard surfacing, within protective fencing areas.
4. Specification for the construction of hard surfaces where they impinge on tree roots
5. The location of site compounds, storage areas, car parking, site offices, site access, heavy/large vehicles (including cranes and piling rigs)
6. An arboricultural management strategy, to include details of any necessary tree surgery works, the timing and phasing of all arboricultural works and protection measures.
7. Specification for soft landscaping practices within tree protection zones or the canopy of the tree, whichever is greatest.

Reason:

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

17. 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; car parking layouts; other vehicle pedestrian access and circulations areas, hard surfacing materials, structures and ancillary objects (refuse bins, lighting columns etc.);
- ii. a plan detailing the position and specification of external lighting.
- iii. planting plans which show native planting; 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;

- iv. details of landscape planting of value to wildlife
- v. 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 and agreed in advance);
- vi. details of any proposed boundary treatment; and
- vii. 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

18. APPROVAL CONDITION - Offsite Trees [Pre-Commencement Condition]

No development, including site works of any description, shall take place on the site until a plan showing any trees located offsite but within the zone of influence of works is submitted. This will include any trees where the canopy overhangs the proposal site or roots may encroach into the site, and in particular any trees to the south of the site or located downhill or at a lower level. Any offsite trees that may be affected by the proposal must be properly protected throughout the construction and an Arboricultural Protection Plan and/or Method Statement must be submitted & approved as part of the application. If NO offsite trees are affected then a statement to this effect must be included in the application.

Reason:

To ensure no offsite trees affected by the proposal.

19. APPROVAL CONDITION - Protection of nesting birds [Performance Condition]

No clearance of vegetation likely to support nesting birds shall take place between 1 March and 31 August unless a method statement has been agreed in writing by the Local Planning Authority and works implemented in accordance with the agreed details.

Reason:

For the safeguarding of species protected by The Wildlife & Countryside Act 1981 (as amended) and the conservation of biodiversity

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

Prior to the commencement of any development a written construction environment management plan shall be submitted to and approved by the LPA. The plan shall contain

method statements and site specific plans to prevent or minimise impacts from noise, vibration, dust and odour for all operations, as well as proposals to monitor these measures at the site boundary to ensure emissions are minimised beyond the site boundary. All specified measures shall be available and implemented during any processes for which those measures are required.

Reason:

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

21. APPROVAL CONDITION - Hours of work for Demolition / Clearance / Construction

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.

22. APPROVAL CONDITION - Sightlines specification

Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 no fences walls or other means of enclosure including hedges shrubs or other vertical structures shall be erected above a height of 0.6m above carriageway level within the sight line splays.

Reason:

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

23. 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 development 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.

24. APPROVAL CONDITION – Privacy screens [Pre-Occupation Condition]

The privacy screens shown on the approved plans shall be installed as detailed prior to the first occupation of the development hereby permitted, and shall be retained at all times unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure an adequate level of privacy for the proposed occupiers.

25. APPROVAL CONDITION - Glazing panel specification [Pre-Occupation Condition]

The windows to be inserted into the side elevations of the building hereby approved shall be obscure glazed and only have a top light opening. The windows shall at all times unless

otherwise agreed in writing by the Local Planning Authority be permanently maintained in that form.

Reason:

To protect the privacy enjoyed by the occupiers of the adjoining property.

26. 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.

27. 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

Note to Applicant - Public sewerage system

A formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

Note to Applicant - 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.

Note to Applicant - Performance Conditions

Your attention is drawn to the performance conditions above which relate to the development approved in perpetuity. Such conditions are designed to run for the whole life of the development and are therefore not suitable to be sought for discharge. If you are in any doubt please contact the Council's Development Control Service.

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS4	Housing Delivery
CS6	Housing Density
CS13	Fundamentals of Design
CS14	Historic Environment
CS15	Affordable Housing
CS16	Housing Mix and Type
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
SDP6	Urban Design Principles
SDP7	Urban Design Context
SDP8	Urban Form and Public Space
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP12	Landscape & Biodiversity
SDP13	Resource Conservation
SDP14	Renewable Energy
SDP15	Air Quality
SDP16	Noise
CLT1	Location of Development
H1	Housing Supply
H2	Previously Developed Land
H6	Housing Retention
H7	The Residential Environment
TI2	Vehicular Access

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)
Planning Obligations (Adopted - September 2013)
Parking Standards SPD (September 2011)
Emerging Bassett Neighbourhood Plan (June 2015)

Other Relevant Guidance

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

Relevant Planning History

15/00272/FUL

REFUSED 19.05.2015

Redevelopment of the site. Demolition of the existing buildings and erection of a three storey building to provide 10 flats (3 x one bedroom, 5 x two bedroom, 2 x three-bedroom) with associated car parking, refuse storage and landscaping.

1. REASON FOR REFUSAL - Overdevelopment and impact on character

The scale and mass of the building and level of site coverage (with buildings and hard surfacing) is symptomatic of a site overdevelopment and out of character with the established pattern of development within Archers Road. This is demonstrated by the level of development in terms of the number of bedrooms and subsequent level of car parking spaces provided to the site frontage. The additional erosion of the frontage with a large parking area would result in a development which would erode the dominant landscaped front boundaries which contribute towards the existing character of Archers Road and there loss will alter the spatial characteristics of the area. The impact on the character of the area is further impacted by the use of inappropriate external materials in the form of the proposed cladding, which would appear as out of place within the general streetscene of this part of Archers Road. As such the proposal is contrary to 'saved' policies SDP1, SDP7 and H7 of the Amended Local Plan Review (2015) and policy CS13 of the Amended Core Strategy (2015) as supported by sections 3.9, 3.11, 3,13 and 5.24 of the adopted Residential Design Guide SPD (September 2006).

2. REASON FOR REFUSAL - Harmful to Neighbouring Residential Amenity.

The proposed development, by reason of its siting relative to the neighbouring building at 45 Archers Road, due to its scale and bulk in close proximity with the common boundary would reduce the quality of the living environment currently enjoyed by the occupants of 45 Archers Road. In particular, the impact on their second floor bedroom window (in the west elevation) caused by the proposed development results in a loss of outlook and daylight to this habitable room. Furthermore the proposed windows of the east elevation of the development would erode the privacy of the occupiers of 45 Archers Road given the distance between the two buildings the proposed development will have an overbearing impact on these residents and will further reduce their enjoyment of their accommodation. Finally, as habitable rooms are proposed with windows along the common boundaries these windows will require outlook from third party land thereby prejudicing the future delivery of these sites. As such, the application has been assessed as contrary to the provisions of policies SDP1 and H2 of the Amended Local Plan Review (2015), policy CS13 of the adopted LDF of the Amended Core Strategy (2015) as supported by section 2.2 of the approved Residential Design Guide SPD (September 2006).

3. REFUSAL REASON - Parking Layout

The proposed layout provides insufficient car parking sizes (which are short of the minimum size standard of 2.4m x 5m - as set out within the Council's Car Parking Standards SPD (Adopted 2011)) and parallel parking, which together with the location of the refuse and cycle store results in the failure to provide on-site turning. This could lead to vehicles reversing out onto a classified road which would prejudice highway safety for all road users including pedestrians. The development proposal is therefore contrary to policy SDP1(i) of

the City of Southampton Local Plan Review (Amended 2015) and Section 2 of the Council's Car Parking Standards SPD.

4. REASON FOR REFUSAL - Lack of Section 106 agreement to secure planning obligations.

In the absence of a completed Section 106 legal agreement to support the development the application fails to mitigate against its wider direct impacts in the following areas:

a) Failing to provide site specific transport improvements in the vicinity of the site have not been secured in line with Policy SDP4 of the City of Southampton Local Plan Review (March 2006), Policies CS18 and CS25 of the adopted LDF Core Strategy (2010) and the adopted SPD relating to Planning Obligations (2013).

b) 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;

c) Scheme of measures or financial contribution towards the Solent Disturbance Mitigation Project (SDMP) in accordance with The Conservation of Habitats and Species Regulations 2010 (as amended) and LDF Policy CS22

d) Financial contribution to a Carbon Offset Fund in the interests of sustainability as required by Core Strategy Policy CS20.

This reason for refusal could be resolved when an acceptable scheme is presented to the Local Planning Authority

Note: affordable housing was not previously cited as the Government had introduced a threshold of 11 and above, which has since been successfully challenged