

**Planning, Transport & Sustainability Division**  
**Planning and Rights of Way Panel 13.09.2016**  
**Planning Application Report of the Planning and Development Manager**

<b>Application address:</b> 11 Lawn Road, Southampton			
<b>Proposed development:</b> Redevelopment of the site. Demolition of the existing building and erection of a 3-storey replacement building to provide 9 flats (2 x three bedroom, 3 x two bedroom, 4 x one bedroom) with associated parking (6 spaces) and other facilities – scheme amended following validation to reduce the number of flats.			
<b>Application number</b>	16/00740/FUL	<b>Application type</b>	FUL
<b>Case officer</b>	Anna Lee	<b>Public speaking time</b>	5 minutes
<b>Last date for determination:</b>	25.10.2016 (Extension of Time Agreement)	<b>Ward</b>	Portswood
<b>Reason for Panel Referral:</b>	Request by Ward Member and five or more letters of objection have been received	<b>Ward Councillors</b>	Cllr Claisse Cllr O'Neill Cllr Savage
<b>Referred to Panel by:</b>	Cllr Claisse and Cllr O'Neill	<b>Reason:</b>	Over intensification, Loss of a family dwelling, out of character and impact on neighbouring occupiers

<b>Applicant:</b> Mr Kaushik Dastidar	<b>Agent:</b> IKON Planning
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<b>Recommendation Summary</b>	<b>Delegate to Planning and Development Manager to grant planning permission subject to criteria listed in report</b>
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<b>Community Infrastructure Levy Liable</b>	<b>Yes</b>
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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 13<sup>th</sup> September 2016 have been considered. The impacts of the scheme on the character of Lawn Road and adjacent neighbouring properties 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, CS18, CS19, CS20, CS22 and CS25 of the Core Strategy (2015) saved policies SDP1, SDP4, SDP5, SDP6, SDP7, SDP9, SDP10, SDP11, SDP12, SDP13, SDP14, SDP15, SDP16, SDP17, SDP22, HE6, H1, H2 and H7 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).

<b>Appendix attached</b>			
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 the planning conditions recommended at the end of this report and 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 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. Submission of a waste management plan.
  - iv. 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).
  - v. 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 is currently occupied by a detached bungalow (that has recently been damaged by fire) and detached garage to the rear. It is a large site (0.094 hectares) that is set between buildings that are two storey and two storey with rooms in the roof in height. The area is characterised by two storey properties and three storey flatted developments set within a residential area with good access to local services along Portswood Road.
- 1.2 Along the front boundary of the site there are two beech trees that have Tree Preservation Orders (TPO) placed on them. The site slopes up from Lawn Road to the front of the existing dwelling. The site is not within a Conservation Area.

## **2.0 Proposal**

- 2.1 The proposal seeks to demolish the existing vacant bungalow on site and replace it with a three storey building comprising 9 flats. The proposal has been amended to provide a 9 unit scheme which comprises two 3-bed units, three 2-bed units and four 1-bed units. The original scheme submitted provided 10 flats (three 3-bed units, three 2-bed units and three 1-bed units and 1 studio) and, therefore, following initial validation there has been a reduction of one three-bed unit. Four parking spaces are provided under the trees to the front and a further two spaces are provided within garages within the ground floor of the building to provide a total of six parking spaces. The building height reduces to the rear to two storey with a third floor in the roof. The building reduces further in height adjacent to no 13 Lawn Road with the introduction of a cat slide roof. Three flats are provided at ground floor; one 1-bed to front and a 1-bed unit and 3-bed unit to the rear, both rear units have access to separate private amenity space. At first floor a 3-bed unit is provided to the front, a 1-bed is located within the roof space and a 2-bed unit to the rear. Within the second floor three 2-bed units are provided.
- 2.2 The building has been designed to pick up features of neighbouring properties by providing a pitched roof and a projecting middle element to recess the side elements by one metre. Juliette balconies are provided to the front to add interest to the building.
- 2.3 To the rear of the building there is a communal landscaped garden area of approximately 132sq.m serving 7 of the 9 flats (which equates to approximately 19s.qm per flat). The remaining units have private external amenity, of approximately 21sq.m, each with direct access. In addition, the cycle store is sited at the end of the path that runs down the side of the building and refuse storage is integral to the building.

## **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 27<sup>th</sup> March 2012 and replaces the previous set of national planning policy guidance notes and statements. The Council has reviewed the Core Strategy to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated

#### **4.0 Relevant Planning History**

- 4.1 A recent application sought demolition of the bungalow under the prior approval process but it was refused consent on 14.06.2016 due to insufficient information being provided. The only other history for the site is the original consent of the bungalow on site; planning permission 983/4 granted on 11.12.1951 (see **Appendix 2** for further details).

#### **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 (27.05.2016) and erecting a site notice (24.05.2016). At the time of writing the report 8 representations have been received from surrounding residents, including the Panel referral received by ward councillors Claisse and O'Neill. The following is a summary of the planning related points raised:

- 5.2 The proposal results in over development and is out of character

##### **Response**

*Clearly the removal of the existing dwelling and its replacement with a three storey building will change the character of the street. However, 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 with a reduction in height adjacent to the neighbouring two-storey house adjacent. Lawn Road is characterised by a mix of dwelling type and architectural style that includes conversions and purpose built three storey flatted blocks. The density of the scheme 96 dph is in line with maximum levels set out in policy CS5 where 50-100 dph can, in principle, be approved in this area. Encouraging higher densities within areas of good access to local facilities is enshrined within local and national planning policy. The existing tree screen to the Lawn Road frontage is protected and retained as part of the scheme, which will assist the scheme in blending into its context.*

- 5.3 Insufficient amenity space

##### **Response**

*The application proposes private amenity space to serve the ground floor flats, alongside a communal area serving the 7 remaining flats. Whilst part of this space is located within the tree canopy it is considered that the amenity space offered is fit for purpose and provides sufficient amenity space to meet the guidance set out in the RDG.*

- 5.4 Concerned about noise

##### **Response**

*All residential properties have the potential to result in noise. However, the Council's Environmental Health team has not objected on these grounds and the delivery of housing should not be held up due to concerns that some residents may be unneighbourly. The planning system should plan for reasonable*

*behaviour. Planning conditions can be used to minimise disturbance during the construction phase.*

5.5 The proposal will result in a loss of parking and traffic congestion

**Response**

*6 spaces are proposed to serve 9 flats, which is acceptable in this location. The proposal provides parking spaces in line with Council's current maximum parking standards policy, and a car parking survey has been submitted to demonstrate that there is sufficient space on-street to accommodate any shortfall. On this basis no objection has been received from the Council's Highway Development Management team. 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.*

5.6 The scheme will result in a loss of privacy, overlooking and is to be constructed in close proximity to the neighbouring properties

**Response**

*The proposal will have an impact on neighbouring properties but the rear element has been reduced in height, and there are no habitable windows looking directly into the neighbouring properties windows. The nearest properties to the rear are between 30 and 40 metres away and therefore the proposal complies with the minimum separation guidance set out in the adopted RDG. The neighbours most affected (at 9 and 13 Lawn Road) have been notified but have not objected to this planning application.*

5.7 Loss of family home

**Response**

*The proposal does result in the demolition of the bungalow but the scheme seeks to provide two 3-bed units, only one genuine three bed unit is required to replace the bungalow and this is replaced by the ground floor unit which has direct access to its own private amenity space. The application, therefore, accords with LDF Policy CS16.*

5.8 Impact of trees

**Response**

*The scheme has been designed to prevent an impact on the trees that are protected by a TPO by using a green grid system for the cars to be sited on, and the footprint of the building is outside the trees root protection zones. No objection has been received from the Council's Tree team.*

**Consultation Responses**

5.9 **SCC Highways– No objection**

No objection is raised subject to conditions securing details of the refuse and cycle store and the submission of a refuse management plan. As well as conditions to cover sight lines and details of the hard paving. The applicant has submitted a parking survey which does not strictly accord with standard practice. However, it does indicate that there is generally reasonable capacity for on street parking in the near vicinity of the site.

5.10 **SCC Sustainability Team – No objection**

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

#### 5.11 **SCC Flooding Team – No objection**

The proposed surface water drainage strategy is the use of permeable paving on driveway and parking areas utilising infiltration and attenuation of roof water in cellular storage. In principle this is acceptable but the following information will need to be provided via condition in order to satisfy that an appropriate infiltration assessment has been undertaken as part of the further site investigation work identified:

- confirmation that the infiltration tests have been undertaken at the location, depth and with a head of water that replicates the proposed design;
- confirmation what measures are necessary to prevent construction activities (especially compaction) changing the infiltration characteristics;
- confirm that the test infiltration capacity is likely to be representative of the wider ground mass;
- confirmation that evidence has been provided of seasonal variations in groundwater levels;
- confirmation that the maximum likely groundwater levels are >1m below the base of the infiltration devices.

#### 5.12 **SCC Environmental Health (Pollution & Safety) No objection**

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

#### 5.13 **SCC Environmental Health (Contaminated Land): No objection**

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

#### 5.14 **SCC Ecology – No objection**

The site consists of a dormer-bungalow set in a mature garden, with a garage, amenity grassland, hard-standing, trees and shrubs. There is also a pile of logs and a number of low walls.

An ecological survey submitted in support of the planning application indicates that there is a low level of biodiversity interest on the site and that redevelopment is unlikely to adversely impact upon wildlife in the wider area, therefore there is no objection to the proposed development.

The report makes a number of recommendations regarding biodiversity enhancements which need to be secured via planning conditions. These include provision of bird nesting boxes and native landscape planting. It is important, that any vegetation clearance should either take place outside the nesting season, which runs from March to August inclusive, or after it has been checked by a suitably qualified ecologist. If active nests are found vegetation clearance would need to be delayed until after the chicks have fledged.

#### 5.15 **SCC Archaeology- – No objection**

No objection subject to conditions relating to submission of an archaeological watching brief investigation and work programme. The site is in a Local Area of Archaeological Potential, as defined in the Southampton Local Plan and Core Strategy - LAAP 16 (The Rest of Southampton). Romano-British burial urns have been found not far to the north of the site, although exact location unknown. Other Roman evidence has been found in the St Denys area, which is on the opposite bank of the River Itchen to the Roman town of Clausentum at Bitterne Manor. Roman remains may be present on the site, and if so, would be undesignated heritage assets under the National Planning Policy Framework (NPPF). (Further information about the archaeological potential/heritage assets of the area is

available on the Southampton Historic Environment Record. The proposed development involves demolition of the existing 20th century house (which is on the site of a 19th century house), and construction of a new building. Development here threatens to damage potential archaeological deposits, and an archaeological investigation will be needed to mitigate this. The archaeological investigation will take the form of a watching brief on the groundworks for the development.

**5.16 SCC Trees – No objection**

No objection subject to conditions securing tree retention and safeguarding as well as a full arboricultural method statement as the submission of additional arboricultural information addresses previous concerns.

**5.17 SCC Design – no objection following the receipt of amended plans.**

**5.18 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 as well as a condition requesting further details of the surface water runoff.

**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**

The application site is not an allocated site within the Council's Development Plan, but it is located within an area with other residential properties. The LDF Core Strategy identifies the Council's current housing need and this scheme would assist the Council in meeting its targets. The city has a housing need. As detailed in Policy CS4 an additional 16,300 homes need to be provided within the city between 2006 and 2026 for the city to address its own requirements. The National Planning Policy Framework (NPPF) introduces a presumption in favour of sustainable housing development, the use of previously developed land and therefore the principle of the proposal is generally supported.

**6.2.1 Policy CS5 seeks to ensure that development within medium accessibility areas have a density of between 50 and 100 dph. Therefore the proposed density of 96 dph is acceptable. The development would create additional housing stock for Southampton as well as bringing the vacant site back into use whilst providing a mixed housing offer. The trees along the frontage will be retained thereby maintaining part of the road's existing character.**

**6.3 Design and Amenity**

The building has been designed to mimic adjacent neighbours in terms of window details and the design of the roof. The design of the proposal has been amended since originally submitted to introduce accommodation at ground floor in order to provide an active frontage, as well as including a set back to the sides by 0.9 metre to provide articulation, similar to neighbouring properties, whilst assisting to reduce the bulk of the building. These changes are positive in terms of the overall design of the building. The number of units has been reduced to remove a three

bed unit and provide four genuine one beds instead of one studio. The scheme is three storey in design but is similar in height to adjacent properties. The building is to be constructed using external brickwork so as to match neighbouring properties. The building's roof appears to be pitched in design but is flat roofed to reduce the bulk adjacent to the neighbours. To the rear the scheme reduces to two-storey with rooms in the roof to reduce the impact on the neighbouring property at no.13. The design is attractive and simple as well as picking up features of the neighbouring properties in terms of projecting elements and large windows. In summary, although the proposal results in the loss of one residential property it replaces the bungalow with an attractive flatted scheme where its impact upon the wider streetscene is softened by the existing mature tree screen to the frontage.

- 6.3.1 The depth of the proposal to the rear has been reduced by two metres since the original submission to provide further amenity space for the future occupiers, and to reduce the bulk of the development. Private amenity space has been provided for two of the units at ground floor and the rest of the communal garden area serves the other units and provides 19 sq.m per unit. The rear amenity area would be shaded due to tree cover but would still be usable. Notwithstanding sufficient amenity space being provided, the amount of hardstanding resulting from the development exceeds the 50% site coverage set out in the RDG guidance. As sufficient amenity space and car parking is secured, the development provides a mix of housing units to meet the housing need. There are other examples where buildings and hard standing exceed 50% within Lawn Road. Therefore, as the scale, bulk and site coverage has been reduced since the original submission officers feel the proposed scheme now addresses previous concerns.
- 6.3.2 All habitable rooms have an acceptable outlook and adequate light, and similar rooms have been stacked to reduce noise transfer. All units have access to the shared amenity space and cycle and refuse storage is provided.
- 6.3.3 With respect to the impact on no. 9 and 13 Lawn Road the scheme has been altered by removing part of the second floor adjacent to no 13 Lawn Road. There are windows on the side elevations of both neighbouring occupiers (no 9 has a kitchen window at first floor and habitable living and dining rooms at no 13) but the scheme would not result in an unacceptable loss of light or outlook to the occupiers of this unit. In terms of privacy a condition is imposed to secure obscured glazing windows to a height of 1.7m to the windows proposed in the site elevations. These windows serve bathrooms, the stairwell, non-habitable kitchens and secondary windows for bedrooms. The affected neighbours have been consulted but have not objected to this planning application.
- 6.3.4 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.

#### 6.4 Highway Safety and Parking

The scheme includes 6 parking spaces (including 2 garaged) and meets current standards in this location as the site is just 10 minutes walk to Portswood District centre. The reduction from seven parking spaces (as submitted) to six spaces for 9 units (from 10 as submitted) is acceptable and has reduced the amount of hard landscaping as well as providing an active frontage at ground floor. As new dwellings are being introduced and as there is unrestricted on-street parking around the site a parking survey has been provided which demonstrates that there is capacity for potential overspill. The conclusion of this survey indicates that during the daytime survey (10.00-11.00 – 11<sup>th</sup> February 2016) there were 39 available spaces within the study area 12 of which were located on Lawn Road.



During the overnight survey (00.00-01.00 – 12<sup>th</sup> February 2016) there were 43 available spaces within the study area 21 of which were located on Lawn Road. Therefore, the application has demonstrated that there is sufficient local on-street parking available to cater for any overspill parking from the development.

- 6.4.1 The introduction of integral refuse storage is a positive feature and the location of the cycle storage to the rear is acceptable. A refuse collection point near the highway for collection days is required and is shown on the plans. A waste management plan is secured via the Section 106 legal agreement. More details are required regarding lighting within the development so that safe access can be provided to refuse and cycle storage areas and a condition is therefore imposed to secure further details.

6.6 Landscaping and tree protection

There are trees on site (Beech) which lie on the front boundary and they are a material planning consideration as they are protected by a Tree Preservation Order (T2-637 The Southampton (11 Lawn Road) Tree Preservation Order 2015 Group of two copper beech trees). Following receipt of the amended plans the Council's Tree Officer is satisfied the development is unlikely to significantly damage the trees on site. The development would be located very close to the trees along the front boundary and their Root Protection Area (RPA) therefore conditions are proposed to seek further information and safeguard the trees on site. A high quality landscaping scheme is required along the frontage of the site as well as the retention of the boundary wall; both can be secured via a landscaping condition.

6.7 Development Mitigation

As with all new 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 area of contribution for this development, in order to mitigate against its wider impact, is the highway contribution. A financial contribution is sought towards traffic signal detection and equipment improvements on the adjacent Thomas Lewis Road junction, including the installation of new above ground detection. 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. The threshold for securing affordable housing has recently changed from 5 (LDF Policy CS15) to 11 following recent Government amendments to the planning system; as such the scheme does not need to contribute towards affordable housing.

- 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 £176 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**

Overall the redevelopment of the site for the 9 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.

## 8.0 **Conclusion**

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 13/09/2016 PROW Panel**

### **PLANNING CONDITIONS**

#### **1.Full Permission Timing Condition [Performance]**

The development hereby permitted shall begin no 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. Details of building materials to be used [Pre-Commencement Condition]**

Notwithstanding the information shown on the approved drawings and application form, with the exception of site clearance, demolition and preparation works, no development works shall be carried out until a written schedule of external materials and finishes, including samples and sample panels where necessary, has been submitted to and approved in writing by the Local Planning Authority. These shall include full details of the manufacturer's composition, types and colours of the external materials to be used for external walls, windows, doors, rainwater goods, 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. Development shall be implemented only in accordance with the agreed details.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality.

### **3. Archaeological watching brief investigation [Pre-Commencement Condition]**

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. Archaeological watching brief work programme [Performance Condition]**

The developer shall 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. Energy & Water [Pre-Commencement Condition]**

Before the development commences (excluding any site set up or demolition works) 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. 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. 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 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 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. 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 is occupied and such parking and storage shall be permanently maintained for that purpose. These details shall be agreed in writing with the Local Planning Authority prior to the commencement of development (excluding any site set up or demolition works).

Reason:

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

## **9. 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 in writing by the Local Planning Authority prior to the implementation of the scheme (including any site clearance and/or demolition works). 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. 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. Land Contamination investigation and remediation [Pre-Commencement & Occupation]**

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.

## **12. Use of uncontaminated soils and fill [Performance]**

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.

## **13. Unsuspected Contamination [Performance]**

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. The development shall proceed in accordance with the agreed details unless otherwise agreed in writing by 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.

#### **14. Surface / foul water drainage [Pre-Commencement Condition]**

No development approved by this permission shall commence until a scheme for the disposal of foul water and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the agreed details and be retained as approved.

Reason: To ensure satisfactory drainage provision for the area.

#### **15. 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. 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, and 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.

#### **17. Arboricultural Method Statement [Pre-Commencement Condition]**

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:

- a) A specification for the location and erection of protective fencing around all vegetation to be retained
- b) Specification for the installation of any additional root protection measures

- c) Specification for the removal of any built structures, including hard surfacing, within protective fencing areas.
- d) Specification for the construction of hard surfaces where they impinge on tree roots
- e) The location of site compounds, storage areas, car parking, site offices, site access, heavy/large vehicles (including cranes and piling rigs)
- f) An arboricultural management strategy, to include details of any necessary tree surgery works, the timing and phasing of all arboricultural works and protection measures.
- g) 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.

### **18. Arboricultural Method Statement [Performance]**

The development hereby approved shall be carried out in accordance with the submitted Arboricultural Method Statement including the tree protection measures throughout the duration of the demolition and development works on site.

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

### **19. 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:

- a) proposed finished ground levels; car parking layouts; other vehicle pedestrian access and circulations areas, hard surfacing materials and structures;
- b) a plan detailing the position and specification of external lighting.
- c) 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;
- d) details of landscape planting of value to wildlife
- e) 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);
- f) details of any proposed boundary treatment including plans showing the retention of the existing boundary wall; and
- g) 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

## **20 Ecological Mitigation Statement [Pre-Commencement Condition]**

Prior to development commencing, including site clearance, the developer shall submit a programme of habitat and species mitigation and enhancement measures which unless otherwise agreed in writing by the Local Planning Authority shall be implemented in accordance with the programme before any demolition work or site clearance takes place.

Reason: To safeguard protected species under the Wildlife and Countryside Act 1981 (as amended) in the interests of preserving and enhancing biodiversity.

## **21 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

## **22. Sustainable Drainage [Pre-Commencement Condition]**

No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the non-statutory technical standards for SuDS published by Defra (or any subsequent version), and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- include a timetable for its implementation; and
- provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.



Reason

To seek suitable information on Sustainable urban Drainage Systems as required by government policy and Policy CS20 of the Southampton Core Strategy (Amended 2015).

### **23. Site Levels [pre-commencement]**

No development shall take place (excluding demolition and site set up) until further details of finished levels have been submitted to and approved in writing by the Local Planning Authority. These details shall include Above Ordnance Datum (AOD) for the proposed finished ground levels across the site, building finished floor levels and building finished eaves and ridge height levels and shall be shown in relation to off-site AOD. The development shall be completed in accordance with these agreed details.

Reason: To ensure that the heights and finished levels of the development are built as agreed in the interests of visual and neighbour amenity.

### **24. 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.

### **25. 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.

### **26. 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.

**27. Obscure Glazing [Performance Condition]**

All windows in the side elevations, located at first floor level and above of the hereby approved development, shall be obscurely glazed and fixed shut up to a height of 1.7 metres from the internal floor level before the development is first occupied. The windows shall be thereafter retained in this manner.

Reason: To protect the amenity and privacy of the adjoining property.

**28. Wheel Cleaning Facilities [Performance 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.

**29. APPROVAL CONDITION - Approved Plans [Performance Condition]**

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](http://www.southernwater.co.uk).

**POLICY CONTEXT**

Core Strategy - (as amended 2015)

CS4	Housing Delivery
CS6	Housing Density
CS13	Fundamentals of Design
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS22	Promoting Biodiversity and Protecting Habitats
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
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP12	Landscape & Biodiversity
SDP13	Resource Conservation
SDP14	Renewable Energy
SDP15	Air Quality
SDP16	Noise
SDP17	Lighting
SDP22	Contaminated Land
HE6	Archaeological Remains
H1	Housing Supply
H2	Previously Developed Land
H7	The Residential Environment

Supplementary Planning Guidance

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

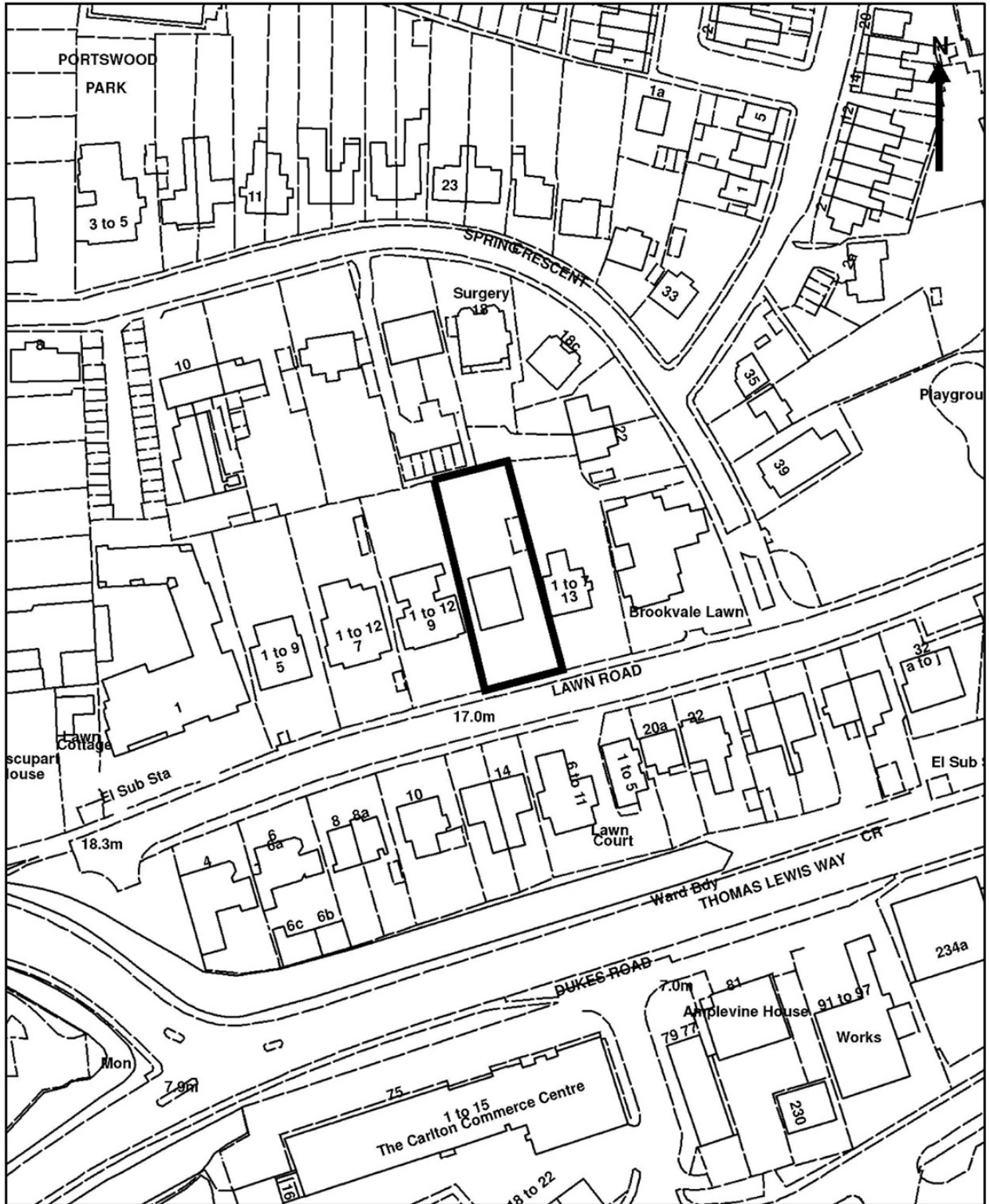
Other Relevant Guidance

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

**Relevant Planning History**

983/4 Erection of a bungalow	Conditionally approved 11.12.1951
997/1 Erection of a garage	Permitted 24.06.1952
16/00872/DPA Application for prior approval for proposed demolition of bungalow and outbuilding	Objection 14.06.2016

# 16/00740/FUL



Scale: 1:1,250

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