

Planning, Transport & Sustainability Division
Planning and Rights of Way Panel 13th September 2016
Planning Application Report of the Planning and Development Manager

Application address: Scout Hut, 51-57 Brookvale Road			
Proposed development: Erection of a gazebo structure			
Application number	16/01037/FUL	Application type	FUL
Case officer	Jenna Turner	Public speaking time	5 minutes
Last date for determination:	30.08.16	Ward	Portswood
Reason for Panel Referral:	More than five letters of objection have been received	Ward Councillors	Cllr Claisse Cllr O'Neil Cllr Savage

Applicant: Mr Andrew Pickles	Agent:
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Recommendation Summary	Conditionally approve
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Community Infrastructure Levy Liable	Not applicable
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Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 186-187 of the National Planning Policy Framework (2012). Policies - SDP1, SDP7, SDP9, SDP12 and HE1 of the City of Southampton Local Plan Review (Amended 2015) and CS13, CS14 and CS22 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015).

Appendix attached			
1	Development Plan Policies		

Recommendation in Full

Conditionally approve

1. **The site and its context**

- 1.1 The application site comprises a Scout Hall and associated woodland area. Whilst the Scout Hall itself is not within a Conservation Area, the woodland lies within the Uplands Estate Conservation Area. Just to the south of the site is the

boundary of the Portswood Residents Gardens Conservation Area. The site adjoins residential properties.

2. **Proposal**

2.1 The application seeks full permission to erect a gazebo within the woodland to provide shelter for the Scouts using this area.

3. **Relevant Planning Policy**

3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (as amended 2015) and the City of Southampton Core Strategy (as amended 2015). The most relevant policies to these proposals are set out at ***Appendix 1***.

3.2 The National Planning Policy Framework (NPPF) came into force on 27th March 2012 and replaces the previous set of national planning policy guidance notes and statements. The Council has reviewed the Core Strategy to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.

4. **Relevant Planning History**

4.1 The Scout Hall itself was originally granted permission in 1963. There have been subsequent applications to alter and extend the existing structure although there are no recent applications relating to this site.

5. **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 (15.07.16) and erecting a site notice (15.07.16). At the time of writing the report **6** representations have been received from surrounding residents, which includes 5 letters of objection and 1 of support. The following is a summary of the points raised:

5.2 ***The structure will be visible from neighbouring residential properties***

Response: The structure will be visible from neighbouring residential properties but views of it will be filtered by trees and vegetation. The structure, being single-storey in scale and set away from the site boundaries, would not have a harmful impact when viewed from these properties.

5.3 ***The structure will enable more children to use the woodland area and increase the noise and disturbance to nearby residents.***

Response:

The structure will essentially provide a canopy, modest in scale and area. The woodland is currently mainly used in early evenings by organised groups and this arrangement would continue with the erection of the gazebo. Whilst residents may hear children playing in the woods during these times, this arrangement is not considered to be unduly harmful, particularly since residents would continue to enjoy peace and quiet during school hours. Furthermore, the applicant has confirmed that the structure would mainly enable the teaching of scouting skills, which is not a particularly noise-generating activity. The applicant has also confirmed that there are no plans to increase the existing hours of use of the site.

- 5.4 ***The increase in use of the woodland would further damage the wildlife and natural beauty of the woodland.***

Response:

There are existing clearings within the woodland which can accommodate the structure without necessitating extensive clearance of trees and vegetation. As such, the Council's Tree and Ecology officers have raised no objection to the proposal. The applicant has confirmed that any cleared vegetation will be replaced as part of organised re-planting activities to foster improved care and management of the woodland.

- 5.5 ***The size and scale of the proposed development is not in keeping with the Conservation Area and it would be visually intrusive from the footpath.***

Response:

The structure will benefit from tree and vegetation screening and nonetheless, it's single-storey and open nature together with the set back from site boundaries will ensure that the impact on the character of the Conservation Area will be neutral.

- 5.6 ***The gazebo will be used in association with the unauthorised use of the woodland by Highfield After School Club.***

Response:

In planning terms, there is no real difference between the woods being used for Scouts to play and being used by an after school club to play. Both are organised groups for children and the nature of the use of the woodland is not significantly different as to result in a material change of use.

Consultation Responses

- 5.7 **SCC Historic Environment** – No objection.

- 5.8 **SCC Trees** – No objection. The structure should have a minimal impact on the surrounding area. It can be erected using either no dig, or hand dig methods (i.e. with no trenching or pouring of concrete slabs). The removal of minor, low branches (up to 50 mm in diameter to a height of 3.5 metres is acceptable).

- 5.9 **SCC Ecology** – No objection.

6. **Planning Consideration Key Issues**

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

- The principle of development;
- The impact on the Conservation Area;
- The impact on residential amenity and;
- Trees and Ecology.

6.2 **Principle of Development**

The proposal would accord with key aims of the planning system by encouraging healthy lifestyles and supporting community interaction. The site does not form designated open space and the structure would be used in association with existing activities taking place from the site. The principle of development is, therefore, acceptable.

6.3 Impact on the Conservation Area

The proposed structure is modest in scale and footprint and is an open-sided structure that would be set away from the main street by approximately 24 metres. Views of the structure would be filtered by trees and vegetation and it would appear as a sympathetic ancillary structure to the Scout Hall. As such, the Historic Environment Officer is satisfied that the proposal would preserve the character of the Conservation Area.

6.4 Impact on Residential Amenity

The structure would be approximately 15 metres from the boundary with no. 55 Uplands Way and over 17 metres from the boundary 59 Brookvale Road. This separation is sufficient to ensure that the proposal would not appear over-dominant when viewed from neighbouring properties. The structure would be used by organised groups outside of school hours, in association with the existing use of the Scout Hall and woodland. As such, the structure, in its own right, would not result in undue noise and disturbance to nearby residents.

7 Summary

7.1 The proposal would complement the existing activity of the Scouts from this site, which plays an important role in fostering healthy lifestyles, learning and social interaction. The modest nature of the site would ensure that the character of the Conservation Area is preserved and that there would not be a harmful impact on residential amenity.

8. Conclusion

8.1 The proposed development is considered to have an acceptable impact in accordance with the Council's policies and guidance and, as such, is recommended for approval subject to 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 (a), (b), (c), (d), (e), 4(g), (vv), 6(a), (b)

JT for 13/19/16 PROW Panel

PLANNING CONDITIONS

1. Full Permission Timing Condition

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. 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.

3. Tree Retention and Safeguarding

The structure hereby approved, shall be erected using either no dig or hand-dig methods, with no trenching or pouring of concrete slabs. No trees shall be removed and existing trees shall be fully safeguarded during the course of all site works including preparation, demolition, excavation, construction and building operations. No operation in connection with the development hereby permitted shall commence on site until the tree protection as agreed by the Local Planning Authority has been erected. Details of the specification and position of all protective fencing shall be indicated on a site plan and agreed with the Local Planning Authority in writing before any site works commence. The fencing shall be maintained in the agreed position until the building works are completed, or until such other time that may be agreed in writing by the Local Planning Authority following which it shall be removed from the site.

Reason: To ensure that trees to be retained will be adequately protected from damage throughout the construction period.

4. No storage under tree canopy

No storage of goods including building materials, machinery and soil, shall take place within the root protection areas of the trees to be retained on the site. There will be no change in soil levels or routing of services through root protection zones. There will be no fires on site within any distance that may affect retained trees. There will be no discharge of chemical substances including petrol, diesel and cement mixings within or near the root protection areas.

Reason: To preserve the said trees in the interests of the visual amenities and character of the locality.

5. Protection of nesting birds

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

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS3	Promoting Successful Places
CS13	Fundamentals of Design
CS14	Historic Environment
CS21	Protecting and Enhancing Open Space
CS22	Promoting Biodiversity and Protecting Habitats

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

SDP1	Quality of Development
SDP7	Urban Design Context
SDP9	Scale, Massing & Appearance
SDP12	Landscape & Biodiversity
NE4	Protected Species
HE1	New Development in Conservation Areas

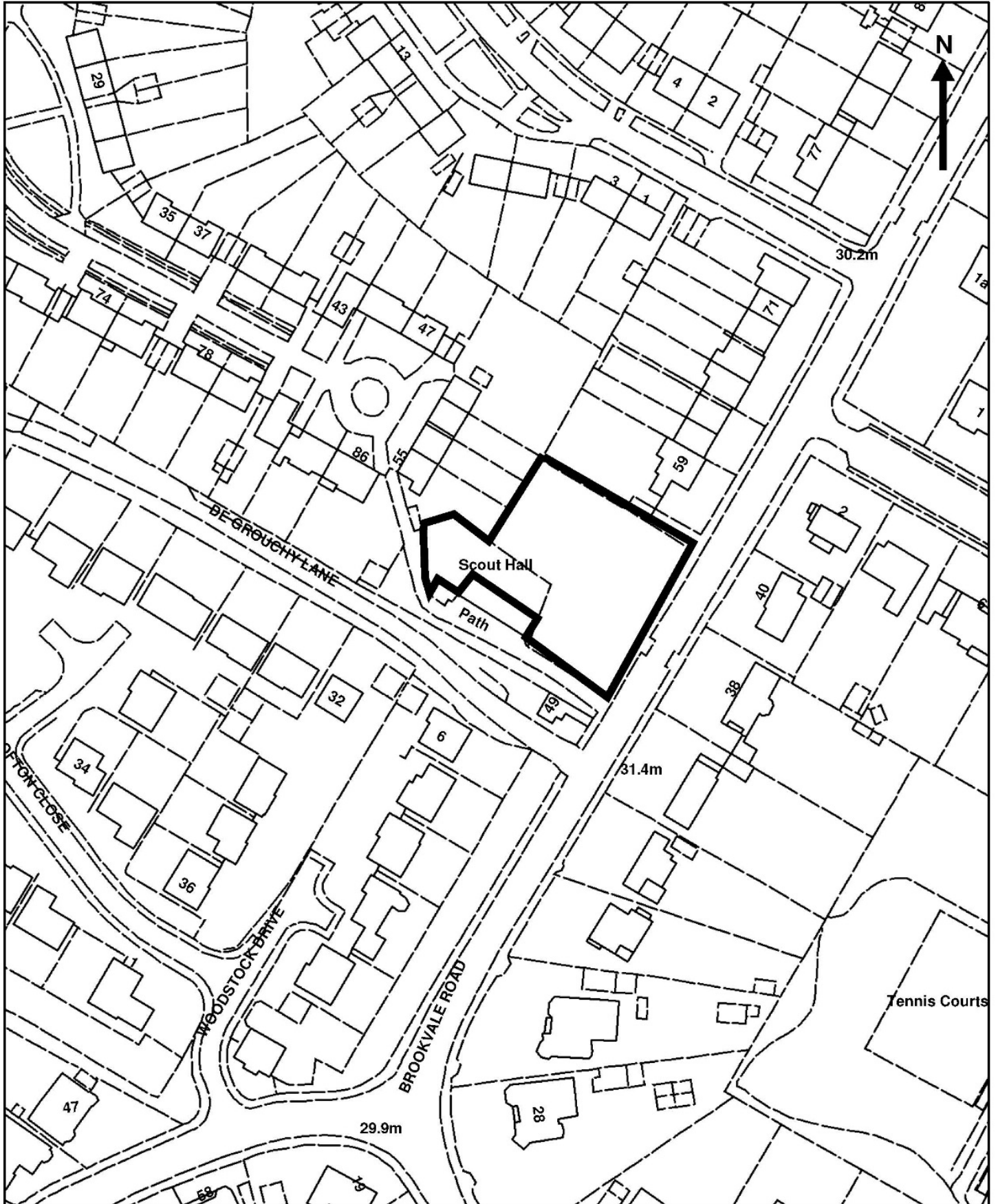
Supplementary Planning Guidance

Uplands Estate Design Guidance 1993

Other Relevant Guidance

The National Planning Policy Framework (2012)

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Scale: 1:1,250

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