

Southampton City Planning & Sustainability
Planning and Rights of Way Panel meeting 14 February 2012
Planning Application Report of the Planning and Development Manager

Application address: 115-121 Wilton Avenue			
Proposed development: Re-development of the site to provide a part three-storey, part four-storey and part five-storey building to provide a retail unit on the ground floor and 27 self contained student flats with associated refuse, cycle and car parking (Outline application seeking approval for access, appearance, layout and scale).			
Application number	11/01836/OUT	Application type	OUT
Case officer	Jenna Turner	Public speaking time	15 minutes
Last date for determination:	17.02.12	Ward	Bargate
Reason for Panel Referral:	Referred by the Planning and Development Manager due to wider interest	Ward Councillors	Cllr Bogle Cllr Noon Cllr Willacy
Applicant: Mr K Reeves		Agent: Concept Design & Planning	
Recommendation Summary	Delegate to Planning and Development Manager to grant planning permission subject to criteria listed in report		

Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan and other guidance as set out on the attached sheet. Other material considerations such as those listed in the report to the Planning and Rights of Way Panel on the 14.02.12 do not have sufficient weight to justify a refusal of the application. The proposal would be in keeping with the site and surrounding properties and would not have a harmful impact on the amenities of the neighbouring properties. The planning history of the site is material to this decision and the scheme has addressed the risk of flooding. Where appropriate planning conditions have been imposed to mitigate any harm identified. In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004, Planning Permission should therefore be granted taking account of the following planning policies:

“Saved” Policies – SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP11, SDP12, SDP13, H1, H2, and H7 of the City of Southampton Local Plan Review - Adopted March 2006 as supported by the adopted LDF Core Strategy (2010) policies CS3, CS4, CS5, CS13, CS16, CS19, and CS20 and the Council’s current adopted Supplementary Planning Guidance. National Planning Guidance contained within PPS1 (Delivering Sustainable Development), PPS3 (Housing 2011) and PPG13 (Transport 2011) are also relevant to the determination of this planning application.

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 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 SPG relating to Planning Obligations (August 2005 as amended);
 - ii. A financial contribution towards strategic transport projects for highway network improvements in the wider area as set out in the Local Transport Plan and appropriate SPG/D;
 - iii. Financial contributions towards the relevant elements of public open space required by the development in line with policies CLT5, CLT6 of the City of Southampton Local Plan Review (March 2006), Policy CS25 of the adopted LDF Core Strategy (2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended);
Amenity Open Space (“open space”)
Playing Field;
 - 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 of a student intake management plan;
 - vi. A clause restricting the occupation of the development to student occupation and;
 - vii. A car parking permit restriction.
2. That the Planning and Development Manager be delegated power to vary relevant parts of the Section 106 agreement and to add or vary conditions as necessary
 3. In the event that the legal agreement is not completed within two months of 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.

1.0 The site and its context

- 1.1 The application site comprises a former petrol filling station which is currently used for car sales and a car wash. The site fronts both Milton Road and Wilton Avenue. There is a significant change in levels across the site; the Milton Road frontage is at a much higher level than the frontage to Wilton Avenue.
- 1.2 The surrounding area is residential in character and typically comprises late Victorian, two-storey terraced and semi-detached houses. Immediately to the west of the site however, is a four-storey block of flats and opposite the site on Milton Road is the 3 and 4 storey residential development of The Dell.

2. Proposal

- 2.1 The application seeks outline planning permission to demolish the existing buildings on site and construct a block of purpose built student flats. The only matter reserved from consideration is landscaping.
- 2.2 The proposed building ranges from 3 to 5 storeys in height. Due to the change in levels across the site, the development would have a 2 and 4 storey appearance when viewed from Milton Road. The top floor is set back from the parapets by

more than 3 metres. The development has a contemporary flat-roof appearance and the materials proposed to be used include a buff brick plinth, rendered elevations with elements of vertical timber cladding.

2.3 The flats are entirely self-contained with no communal living facilities. The main entrance to the flats would be from Milton Road. Each flat would have access to a private balcony with the exception of the top floor units which would not have direct access to private amenity space.

2.4 The development would be served by four car parking spaces to be accessed from Milton Road. Purpose built cycle and refuse storage is proposed to be located to the Milton Road frontage. This parking would be available for use on changeover days as students move into or out of the building but it is not intended that the spaces would be used outside of this time.

2.5 The development also incorporates a ground floor retail unit which would front Wilton Avenue. An enclosed service yard associated with this unit would be provided to the west of the site.

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 (March 2006) and the City of Southampton Core Strategy (January 2010). The most relevant policies to these proposals are set out at **Appendix 1**.

3.2 Major developments are expected to meet high sustainable construction standards in accordance with the City Council’s adopted and emerging policies. In accordance with adopted Core Strategy Policy CS20 and Local Plan “saved” Policy SDP13.

3.3 The policies of the South East Plan, Southampton’s Core Strategy and Local Plan Review have been taken into account in the consideration of this application. The Core Strategy is in general conformity with the South East Plan, and it is not considered that the policies in the South East Plan either conflict with or add particular weight to the policies in the Core Strategy for this application. Consequently only the local statutory development plan policies (Core Strategy and Local Plan Review) have been cited in this report.

4.0 Relevant Planning History

4.1 The planning history for the site is set out in **Appendix 2**. Historically, the site was used as a petrol filling station and after this, for car sales. The site benefits from a resolution to grant planning permission for a block of 8 flats with ground floor commercial space (application 02/01097/FUL refers). This decision was not been issued as the section 106 legal agreement was not completed. More recently, an application was refused planning permission for 12 flats for reasons relating to flood risk (application 06/01140/FUL).

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 also undertaken which included notifying adjoining and nearby landowners, placing a press advertisement 01.12.11 and erecting a site notice 28.11.11. At the time of writing the report **6** representations have been received from surrounding residents. The following is a summary of the points raised:

5.2 ***There should be a requirement for an on-site warden for the number of student rooms proposed. There are too many student properties already in the area and this results in noise and disturbance to other residents.***

5.3 **Response**

There is no planning requirement to provide an on-site warden within student blocks of accommodation. A planning condition is recommended to secure a management plan which will address aspects such as how incidences of noise complaints would be addressed, although typically these issues can be controlled with Environmental Health legislation.

5.4 ***The height, scale and massing is out of character with the surrounding area.***

5.5 **Response**

The proposed building would provide a step up from the two-storey development on Wilton Road to the neighbouring four-storey block of flats. Whilst the building would have a five-storey appearance from Wilton Avenue, the overall height of the building would appear no taller than the neighbouring block of flats at 135 Wilton Avenue. Furthermore, the top floor is well set back from the parapets, meaning it would not be readily visible from the streets. The form of the building is stepped which would ensure the massing of the building would not appear excessive. A comparison between the previous scheme and this proposal will form part of the presentation to Panel and will demonstrate clear improvements in design and its impact on the established character of the area.

5.6 ***The design of the building is out of character with the properties within the surrounding area.***

5.7 **Response**

The Council's adopted supplementary planning guidance, The Residential Design Guide encourages contemporary design and resists pastiche style developments. The City Design Manager has reviewed the proposal and raised no objection to the design of the development.

5.8 ***There is insufficient parking to serve the development and the proposal would exacerbate parking issues within the area.***

5.9 **Response**

The proposed parking spaces are designed to serve the development on changeover days when students are moving in or out of the block. As part of the Section 106 agreement, a plan will be secured to manage changeover days and in particular the timings of vehicles arriving to the site. This is to minimise overspill parking on the surrounding streets. Highways are satisfied that outside of term times, that the site is sufficiently accessible to educational establishments to ensure that zero car parking provision for residents would not create significant overspill on the surrounding streets or a highway safety issue.

5.10 ***The balconies will result in noise and disturbance to neighbouring properties.***

5.11 **Response**

The proposed balconies are relatively small (1m x 3m) and as such would discourage congregation of groups of occupants which could be potentially noisy.

5.12 ***The level of amenity space is insufficient.***

5.13 **Response**

The level of amenity space is less than the standards set out in the Council's Residential Design Guide, however having regard to the single person occupancy of the proposed units and the accessibility of the site to public open space, on balance, the provision is considered to be acceptable.

5.14 ***The development would be over a watercourse and could lead to maintenance issues and localised flooding.***

- 5.15 **Response**
The development is designed to leave a 5 metre easement strip above the culverted watercourse to enable emergency and maintenance access to the culvert. As such, the Environment Agency have raised no objection to the proposal and the scheme is therefore considered to be acceptable in this respect.
- 5.16 **Consultee Comments**
- 5.17 **SCC Highways** - No objection subject to suggested planning conditions.
- 5.18 **SCC Sustainability Team** – No objection. Suggest conditions to secure the sustainability requirements.
- 5.19 **SCC Environmental Health (Pollution & Safety)** - No objection.
- 5.20 **SCC Environmental Health (Contaminated Land)** - Raise concern that no contamination information is submitted with the application. If permission is granted, recommend conditions to investigate and remediate any land contamination.
- 5.21 **SCC Ecology** – No objection or conditions suggested
- 5.22 **SCC Archaeology** - No objection or conditions suggested.
- 5.23 **BAA** – No objection. Suggest an informative on the decision notice to make the developers aware of the code of practice for the use of cranes.
- 5.24 **Environment Agency** – No objection subject to a condition to ensure that that essential maintenance and emergency access to the adjacent watercourse is retained.
- 5.25 **Southern Water** – No objection. Suggests a condition to secure details of foul and surface water disposal.

6.0 Planning Consideration Key Issues

- 6.1 The key issues for consideration in the determination of this planning application are:
- i. The principle of development;
 - ii. The design of the proposal together with the impact on the character of the area;
 - iii. The impact on the amenities of neighbours of the site;
 - iv. The quality of the residential environment proposed;
 - v. Parking and highways;
 - vi. Flood Risk; and,
 - vii. Mitigation of direct local impacts and affordable housing.

The application needs to be assessed in light of these key issues and the planning history of the site.

6.2 Principle of Development

- 6.2.1 The application site is an allocated housing site by saved policy H1 of the Local Plan Review and expected to deliver some 10 housing units. This site however, is not identified as a housing site by the Council's Strategic Housing Land Availability Assessment (SHLAA). There is a recognised need for student accommodation within the city. As such, the planning policy team have indicated that student accommodation contributes to the council's housing numbers, particularly since it may contribute to freeing up other housing in the area suitable for families, that would otherwise be used for student occupation and raise no objection to the principle of student accommodation in this location.
- 6.2.2 The principle of mixed used development on previously developed land is accepted in the policies of the development plan. Furthermore, the development of this underused commercial site within a residential area is welcomed. The provision of 335sq.m of retail floorspace is well below the floorspace threshold for

retail uses outside of designated centres. The principle of the ground floor shop unit is therefore acceptable.

6.3 Character and Design

- 6.3.1 In terms of layout, the proposal is designed to address both street frontages with the main entrances to the building from both Milton Road and Wilton Avenue. The layout incorporates areas of soft landscaping to the Milton Road frontage which would soften the appearance of the development and represents an improvement on the current condition of the site, which is 100% developed. Whilst, the building and hardsurfacing would represent more than 50% of the site, given the dense urban grain of the area and the previously developed nature of the site, the level of development is considered to be acceptable.
- 6.3.2 The proposal would create a successful infill between the neighbouring two-storey houses on Wilton Avenue and the adjoining flatted block by providing a gradual step-up in height to the corner. Whilst five-storeys of accommodation are proposed to the Wilton Avenue frontage, the flat roof design of the proposal would ensure that the height would not appear excessive and furthermore, the set back top-floor would be less apparent from the street scene. The massing of the Wilton Avenue elevation is broken into three clear sections with a staggered building land.
- 6.3.3 Due to the change in levels across the site, the development would appear as a two and four-storey building when viewed from Milton Road. This section of Milton Road has a less coherent character than Wilton Avenue. However, the proposal would also represent a marked appearance on the existing Milton Road frontage. The height would not look out of keeping when taken in context with the Dell development opposite the site and the neighbouring 135 Wilton Avenue. Again, the fourth floor is set well back from the parapets, which reduces its impact. The building line to the rear of the site is also staggered, creating three separate elements and preventing the building from appearing bulky within the street scene.
- 6.3.4 The development is designed to have a contemporary appearance. The proposed building is positioned at the end of a more traditional street and marks a point where the design and character of buildings is more varied and furthermore, the current condition of the site is poor and has a detrimental impact on the character and appearance of the area. As such, it is considered that the proposal would not appear out of keeping within the streetscene and would represent a significant improvement on the current appearance of the site, thereby the scheme accords with the Council's design policies and guidance.

6.4 Impact on Residential Amenity

- 6.4.1 The key consideration in this respect is the impact of the development on the amenities of the neighbouring residential property at 113 Wilton Avenue. This property is at a lower level than the application site, and there is a significant difference in levels between the back garden of No. 113 and the Milton Road frontage of the site.
- 6.4.2 The proposed building is designed to step down in height adjacent to the boundary with this property as well as stepping down in height towards the Milton Road boundary of the site. This ensures that when viewed from the neighbouring property and garden, the proposed building would have a two-storey scale and massing. In addition to this, the depth of the building is also reduced adjacent to the boundary with the neighbouring property from that previously considered acceptable, to ensure that it does not project significantly further to the rear than the neighbouring property. As such, it is considered that the development would not have a harmful on the neighbouring property or garden.

6.5 Residential Environment

6.5.1 Whilst the level of amenity space proposed is less than the standards set out in The Residential Design Guide, each flat would have direct access to a private balcony. Furthermore, the site is within walking distance to The Common and the City Centre parks. Having regard to the single-occupancy nature of the units proposed and the occupation by students who commonly have access to the sport and recreational provision at the University, the level of amenity space is therefore considered to be acceptable.

6.5.2 The outlook from habitable room windows is considered to be acceptable and the cycle and refuse storage is conveniently located in relation to the proposed flats. Overall, the quality of the residential environment is judged to be acceptable. _

6.6 Parking and Highways

6.6.1 As stated above, the proposed parking spaces to the rear of the site are only intended to be used when students are moving in or out of the block. A planning condition is suggested to secure this. The absence of on-site car parking will discourage the future occupants from bringing a car to the site. It is recommended to secure a car parking management plan through the Section 106 agreement. This plan will look to stagger arrivals to the development to avoid peak times and to ensure that more vehicles do not arrive at the site than can be accommodated. The educational establishments in the city are accessible to the site through public transport and as such Highway have raised no objection to the scheme.

6.7 Flood Risk

6.7.1 Running underneath the application site is the culverted Rollesbrook watercourse which is classified as a main river. The application scheme has been designed to leave a 5 metre wide strip of land to the west side of the site which is free from building. This easement strip would therefore enable access to be gained to the culvert for maintenance or emergency access. As such, the Environment Agency has raised no objection to the proposal on flood risk grounds and the application is considered to be acceptable in this respect.

6.8 Section 106 and Affordable Housing

6.8.1 The development triggers the need for a S.106 Legal Agreement to secure appropriate off-site contributions towards open space and highway infrastructure improvements in accordance with Core Strategy Policy CS25. The applicants have confirmed their willingness to enter into the necessary obligations to mitigate against the scheme's direct local impacts.

6.8.2 Since the application proposes an entirely student scheme, there is no requirement to provide affordable housing units. As such, a clause is included in the Section 106 agreement to ensure that the development is occupied as student accommodation in perpetuity.

7.0 Summary

7.1 The proposed development would make good use of the site to provide purpose built student accommodation. The proposed building would make a positive contribution to the street scene and represent a significant improvement on the current condition of the site.

8.0 Conclusion

8.1 Subject to the imposition of the suggested conditions attached to this report, the proposal would be acceptable. The application is therefore recommended for approval.

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

1 (a), (b), (c), (d), 2 (b), (c), (d), 4 (f), 6 (a), (c), (f), (i), 7 (a), (b), (e), (k), (m), (t)

JT for 14.02.12 PROW Panel

PLANNING CONDITIONS

01. APPROVAL CONDITION - Outline Permission Timing Condition

Outline Planning Permission for the principle of the development proposed and the following matters sought for consideration, namely the Layout of buildings and other external ancillary areas, the Means of Access (vehicular and pedestrian) into the site and the buildings, the Appearance and Design of the structure and the Scale, Massing and Bulk of the structure is approved subject to the:

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

Reason:

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

02. APPROVAL CONDITION - Details of building materials to be used [Pre-Commencement Condition]

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

03. APPROVAL CONDITION - Code for Sustainable Homes [pre-commencement condition]

Unless otherwise agreed in writing by the Local Planning Authority, before the development commences, written documentary evidence demonstrating that the

development will achieve at minimum Level 3 of the Code for Sustainable Homes in the form of a design stage assessment, including at least 15% in category Ene1, shall be submitted to and approved in writing by the Local Planning Authority. Within 6 months of any part of the development first becoming occupied, written documentary evidence proving that the development has achieved at minimum Level 3 of the Code for Sustainable Homes in the form of post construction assessment and certificate as issued by a legitimate Code for Sustainable Homes certification body, including at least 15% in category Ene1, 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).

04. 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 in writing by the Local Planning Authority prior to the implementation of the scheme. The scheme shall include measures to suppress dust during the 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.

05. APPROVAL CONDITION - Construction Method Statement [Pre-commencement condition]

Before any development or demolition works are commenced details shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Statement (CMS) for the development. The CMS shall include details of: (a) parking of vehicles of site personnel, operatives and visitors; (b) loading and unloading of plant and materials; (c) storage of plant and materials, including cement mixing and washings, used in constructing the development; (d) treatment of all relevant pedestrian routes and highways within and around the site throughout the course of construction and their reinstatement where necessary; (e) measures to be used for the suppression of dust and dirt throughout the course of construction; (f) details of construction vehicles wheel cleaning; and, (g) details of how noise emanating from the site during construction will be mitigated. The approved CMS shall be adhered to throughout the development process unless agreed otherwise in writing by the local planning authority.

Reason:

In the interest of health and safety, protecting the amenity of local land uses, neighbouring residents, the character of the area and highway safety.

06. APPROVAL CONDITION - Hours of work for Demolition / Clearance / Construction [Performance Condition]

All works relating to the demolition, clearance and construction of the development hereby granted shall only take place between the hours of;

Monday to Friday 08:00 hours to 18:00 hours (8.00am to 6.00pm)

Saturdays 09:00 hours to 13:00 hours (9.00am to 1.00pm)

And at no time on Sundays and recognised public holidays.

Any works outside the permitted hours shall be confined to the internal preparations of the

buildings without audible noise from outside the building, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

07. APPROVAL CONDITION- Land Contamination investigation and remediation [Pre-Commencement & Occupation Condition]

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.

08. APPROVAL CONDITION - Reuse of uncontaminated soils [Performance Condition]

No soils, sub-soil or other spoil material generated from the construction must be re-used on the near-surface soils unless it can be validated as being fit for use (i.e. evidently undisturbed, natural soils or, if otherwise, tested to ensure it is free of contamination).

Reason:

The property is in an area where there land has been unfilled or reclaimed. It would be prudent to ensure any potential fill material excavated during construction is not reused in

sensitive areas unless it is evident that it is unlikely to present a land contamination risk.

09. APPROVAL CONDITION - Use of uncontaminated soils and fill [Pre-Commencement Condition]

Clean, uncontaminated soil, subsoil, rock, aggregate, brick rubble, crushed concrete and ceramic shall only be permitted for infilling and landscaping on the site. Any such materials imported on to the site must be accompanied by documentation to validate their quality and be submitted to the Local Planning Authority for approval prior to the occupancy of the site.

Reason:

To ensure imported materials are suitable and do not introduce any land contamination risks onto the development.

10. 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.

11. APPROVAL CONDITION – Details of commercial storage area [Pre-commencement condition]

Prior to the commencement of the development hereby approved, full details of the commercial storage area, including any structures, shall be submitted to the Local Planning Authority and approved in writing. The development shall proceed in accordance with the agreed details.

Reason:

To maintain essential maintenance and emergency access to the watercourse. The permanent retention of a continuous unobstructed area is an essential requirement for future maintenance and or improvement works.

12. APPROVAL CONDITION – Details of Drainage System [pre-commencement condition]

Prior to the commencement of the development hereby approved, full details of the drainage system shall be submitted to the Local Planning Authority and agreed in writing. The details shall take into account the possibility of surcharging within the public sewerage system in order to protect the development from potential flooding. The development shall proceed in accordance with the agreed details.

Reason:

To secure a satisfactory form of development.

13. APPROVAL CONDITION – Foul and Surface Water Disposal [pre-commencement condition]

Prior to the commencement of the development hereby approved, full details of the means of foul and surface water disposal shall be submitted to the Local Planning Authority for approval in writing. The development shall proceed in accordance with the agreed details.

Reason:

To secure a satisfactory form of development.

14. APPROVAL CONDITION - Hours of Use (Performance Condition)

Those parts of the development to be used for purposes within Class A1 of the Town and Country Planning (Use Classes) Order 1987 (or any order replacing or amending this Order) shall not be open for public use or accept deliveries outside the hours of 0730 to 2300.

Reason

To protect the amenities of residents within the site and occupiers of adjoining residential occupiers.

15. APPROVAL CONDITION – Management of Student Accommodation and Car Parking [pre-commencement condition]

Prior to the first occupation of the residential part of the development hereby approved, a detailed Management Plan to deal with the day-to-day running of the residential units shall be submitted to and agreed in writing by the Local Planning Authority prior to the first occupation of the residential part of the development hereby approved. The Management Plan shall include details of how the car parking is to be controlled to ensure use by students only on changeover days. The agreed details shall apply during the lifetime of the development.

Reason:

In the interests of reducing crime to an otherwise vulnerable development and to ensure that the student accommodation approved does not cause undue problems for existing residential neighbours.

16. APPROVAL CONDITION - Cycle and Refuse Storage [performance condition]

The cycle and refuse storage shall be provided in accordance with the plans hereby approved before the development first comes into occupation and thereafter retained as approved.

Reason:

To secure a satisfactory form of development.

17. APPROVAL CONDITION – Parking and Access [performance condition]

The parking and access shall be provided in accordance with the plans hereby approved before the development first comes into occupation and thereafter retained as approved. Unless otherwise agreed in writing by the Local Planning Authority, no more than four parking spaces shall be provided on the site.

Reason:

In the interests of highway safety and to secure a satisfactory form of development.

18. APPROVAL CONDITION - Approved Plans

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

Reason:

For the avoidance of doubt and in the interests of proper planning.

POLICY CONTEXT

Core Strategy - (January 2010)

CS3	Town, District and Local Centres
CS4	Housing Delivery
CS5	Housing Density
CS13	Fundamentals of Design
CS15	Affordable Housing
CS16	Housing Mix and Type
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 – (March 2006)

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
SDP16	Noise
CLT5	Open Space in new developments
CLT6	Provision of Children's Play Areas
H1	Housing Supply
H2	Previously Developed Land
H7	The Residential Environment
H13	New Student Accommodation

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)
Planning Obligations (Adopted - August 2005 and amended November 2006)
Parking Standards (September 2011)

Other Relevant Guidance

PPS1 Delivering Sustainable Development (February 2005)
PPS3 Housing (2010)
PPG13 Transport (2011)

Relevant Planning History

1297/29
Redevelopment as petrol filling station

Conditionally Approved 09.11.65

1331/P8
Use of accessory shop & forecourt fronting Milton Road for car sales

Conditionally Approved 13.06.67

971170/8829/E
Change of use of forecourt for the display and sale of motor vehicles

Conditionally Approved 15.12.97

02/01097/FUL
Construction of part two, part three and part four-storey block to form 8 self-contained flats and retail unit at lower ground level and associated accesses, parking areas and refuse storage facilities

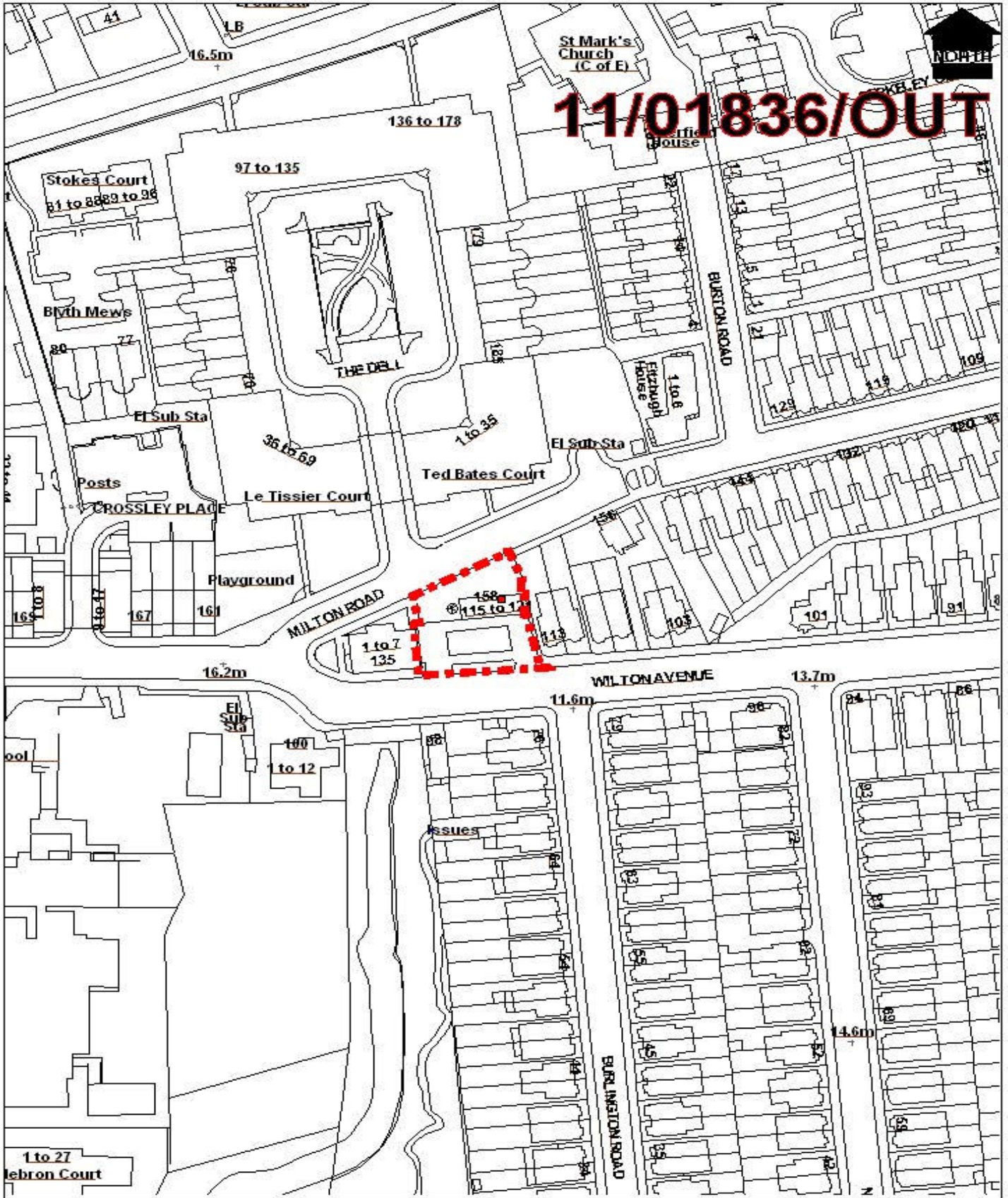
Pending Decision

06/01140/FUL
Redevelopment of the site, erection of a part three-storey, part four-storey and part five-storey building to provide a retail unit on the ground floor and 12 flats (1 x 1 bedroom, 11 x 2 bedroom) above with associated parking and vehicular access from both Milton Road and Wilton Avenue. (Major Application)

Refused 27.10.06

Reason for refusal:

01. The applicant has failed to demonstrate that the proposed development can be constructed without hindering access to the adjacent culvert which is classified as a Main River. Accordingly the development could increase flood risk to properties within the area contrary to the provisions of SDP20 of the City of Southampton Local Plan Review and guidance contained within PPG25.



Scale : 1:1250

Date : 01 February 2012

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