

**Application 12/00381/OUT****Southampton City Planning & Sustainability****Planning and Rights of Way Panel meeting 24th July 2012****Planning Application Report of the Planning and Development Manager**

<b>Application address:</b> Mental Health Day Centre, Bedford House, Amoy Street			
<b>Proposed development:</b> Re-development of the site, demolition of the existing building and provision of 10 x 2 and 2.5 storey houses (8 x 3-beds, and 2 x 2-beds) with associated car parking and storage (outline application seeking approval for access, layout and scale)			
<b>Application number</b>	12/00381/OUT	<b>Application type</b>	OUT
<b>Case officer</b>	Jenna Turner	<b>Public speaking time</b>	15 minutes
<b>Last date for determination:</b>	30.05.12	<b>Ward</b>	Bargate
<b>Reason for Panel Referral:</b>	Major application with letters of objection	<b>Ward Councillors</b>	Cllr Noon Cllr Bogle Cllr Tucker

<b>Applicant:</b> Mrs Sue Harris- Health & Adult Social Care, Southampton City Council	<b>Agent:</b> Capita Symonds
--	------------------------------

<b>Recommendation Summary</b>	<b>Delegate for Approval</b>
-------------------------------	------------------------------

**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 24.07.12 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 neighbouring occupiers. 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. The guidance within the National Planning Policy Framework (2012) is also relevant to the determination of this planning application.

<b>Appendix attached</b>			
1	Development Plan Policies	2.	Relevant Planning Policies

## **Recommendation in Full**

1. Delegate to the Planning and Development Manager to grant planning permission subject to the Head of Property and Procurement Services providing a written undertaking for the provision within the contract of sale that the purchaser of the land enter into a Legal Agreement prior to the completion of the sale of the land requiring:
  - i. Financial contributions towards site specific transport 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 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);
  - iv. The provision of affordable housing in accordance with adopted LDF Core Strategy Policy CS15;
  - v. 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 and;
  - vi. A parking permit restriction clause.
2. That the Planning and Development Manager be given delegated authority to add to, delete, or vary planning conditions and relevant parts of the Section 106 agreement.
3. In the event that the legal agreement is not completed within two months of the panel meeting 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. Background**

- 1.1 The application is submitted under Regulation 3 of the Town and Country Planning General Regulations which relates to proposals made by the Local Authority. It is general practice that following the proper assessment of the planning merits of the proposal, that Regulation 3 applications should be either approved if considered acceptable, or the application should be requested to be withdrawn if not considered acceptable for justifiable planning reasons that would normally result in a refusal.

## **2. The site and its context**

- 2.1 The application site comprises a part single and part two-storey, flat-roof building which previously provided a day centre for the mentally ill but is now vacant. The site is accessed from Amoy Street. Beyond the eastern site boundary lies public car parks but apart from this, the site is neighboured by residential properties and gardens.
- 2.2 Immediately to the south of the site and to the eastern end of Amoy Street is the boundary of the Carlton Crescent Conservation Area. The surrounding area is residential in character and typically comprises two-storey, terraced and semi-detached housing.

## **3. Proposal**

- 3.1 The application seeks outline planning permission for the demolition of the existing building on site and the construction of 10 houses. Along with the quantum of development, the application seeks approval for the access, layout and scale of development with appearance and landscaping being the only matter reserved from consideration.
- 3.2 The development is formed of a terrace of 6 houses, a pair of semi-detached dwellings and two detached dwellings which would provide a mixture of 2 and 3 bedroom accommodation. In terms of scale, it is indicated that two detached properties would be two-storeys in height with the remainder of the development two-storeys with accommodation within the roofspace.
- 3.3 It is proposed to link Henry Street, to the south of the site with Amoy Street to provide access through the site from either Canton Street or Amoy Street. A total of 10 car parking spaces are proposed.

## **4. Relevant Planning Policy**

- 4.1 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**.
- 4.2 The site is not allocated for a particular use or development within the Development Plan but lies within an area of high accessibility for public transport (Public Transport Accessibility Level 6).
- 4.3 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.

## **5. Relevant Planning History**

- 5.1 There are no recent or relevant applications relating to this site. Planning permission was originally granted for the construction of a day care centre in 1975 (reference 1473/C1).

## 6. Consultation Responses and Notification Representations

6.1 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 (29.03.12) and erecting a site notice (26.03.12). At the time of writing the report **10** representations have been received from surrounding residents which includes a petition with 64 signatures. The following is a summary of the points raised:

6.2 ***The development is closer than the Council's separation distances permit to properties on Canton Street which back onto the site and would therefore have a harmful impact on privacy and would appear dominant when viewed from neighbouring properties.***

6.3 Response

The proposed houses to the south of the site would be between 13 and 18 metres from the rear elevations of properties on Canton Street and are positioned approximately 4 metres off of the boundary with these properties. It is proposed that the side elevations of the two southern-most dwellings would face onto the boundary with Canton Street. In such circumstances, the Residential Design Guide Supplementary Planning Document sets out that a separation distance of 12.5 metres and the proposal would exceed this. As such, the relationship of the development with the properties on Canton Street is considered to be acceptable. In terms of privacy, a condition is suggested to ensure that no clearly glazed, openable windows are installed in the south side elevations of the properties.

6.4 ***Opening up Henry Street to through traffic would have a harmful impact on the character of Canton Street by increasing the amount of vehicle movements on this street.***

6.5 Response

Having regard to the level of development proposed, and that an alternative access to the site is available via Amoy Street, it is not considered that the scheme would result in a significant increase in vehicle trips in Canton Street. Furthermore, the Historic Environment Team have raised no objection to the proposal in this respect.

6.6 ***The proposal could lead to increased competition for on-street car parking spaces in the locality***

6.7 Response

The surrounding streets are within a Control Parking Zone and the Section 106 Agreement associated with the application would prevent future occupants of the development from being issued with parking permits. As such, it is not considered that the proposal would generate harmful overspill car parking on the surrounding streets.

## 6.8 Consultation Responses

6.9 **SCC Highways** - No objection. Suggests conditions to secure detail design of the road and pedestrian footpath, refuse collection arrangements and the management of construction related vehicles and storage.

- 7.0 **SCC Housing** – No objection. There is a requirement to provide 2 affordable housing units and this should be provided on site.
- 7.1 **SCC Sustainability Team** – No objection. Suggests conditions to ensure the development attains level 4 of the Code for Sustainable Homes
- 7.2 **SCC Trees** – No objection subject to a condition to secure tree protection measures
- 7.3 **SCC Environmental Health (Pollution & Safety)** - No objection subject to conditions to minimise disruption to neighbours during the demolition and construction process.
- 7.4 **SCC Ecology** – No objection subject to conditions to secure ecological mitigation measures and to protecting nesting birds in the construction process.
- 7.5 **SCC Historic Environment** - No objection subject to conditions to secure the necessary archaeological investigations.
- 7.6 **Southern Water** – No objection subject to conditions to secure details of drainage and measures to protect the public sewer.

## **8.0 Planning Consideration Key Issues**

- 8.1 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 residential amenity;
  - iv. The quality of the residential environment proposed;
  - v. Parking and highways and;
  - vi. Mitigation of direct local impacts and Affordable Housing.
- 8.2 **Principle of Development**
- 8.2.1 Before the principle of the redevelopment of the existing community building for an alternative use can be accepted, policy CS3 of the Core Strategy requires an assessment of the need for the use of the building for community purposes. The three support services which previously operated from Bedford House have been relocated to alternative premises within the locality of the site, as part of a strategic review and consolidation of the Council's Day Service provisions. The application submission includes a review of the availability of community use provision within the vicinity of the application site. This review demonstrates that there is adequate provision for community uses within the area and as such, the principle of the loss of the community facility is acceptable.
- 8.2.2 The application would make efficient use of previously developed land to provide housing. The proposal incorporates more than the target level of family homes set out in policy CS16 of the Core Strategy. The proposed

residential density at 33 dwellings per hectare is less than the density range recommended by policy CS5 of the Core Strategy, but having regard to the constraints of the site, the density is appropriate. The principle of the redevelopment of the site to provide residential accommodation is therefore considered to be acceptable.

### 8.3 Design and Impact on Character of Area

8.3.1 Since the appearance of the development is reserved from consideration at this stage, the key consideration in this respect is whether the scale and layout of the proposal is in keeping with the character of the area, including the setting of the adjacent Conservation Area. The proposed layout enables a typical residential street to be created and the domestic scale and form of the houses would be noticeably more in keeping with the surrounding area than the existing building on the site. The proposal would also result in significantly less building and hardsurfaced areas when compared with the existing situation and therefore represent an improvement to the character of the area.

8.3.2 Whilst there are no Tree Preservation Orders on or adjacent to the site, the proposed layout enables the retention of the existing trees on site which would soften and offer some screening of the development when viewed from neighbouring properties. The terraced and semi-detached properties reflect the prevailing pattern of development within the vicinity of the site and the domestic scale of the properties would also be reflective of the character of the area.

### 8.4 Impact on Residential Amenity

8.4.1 The properties to the north of the site would achieve between 19 and 20 metres separation to the rear elevations of properties on Wilton Avenue. This is slightly less than the 21 metre separation recommended by the Residential Design Guide SPD, however, the guidance makes it clear that these standards can be applied more flexibly where separation distances are typically tighter within the site's context. The surrounding area does have a fairly dense character and back-to-back separation distances notably less than 21 metres can be observed. As such, the separation distance between the site and Wilton Avenue are considered to be acceptable in this instance.

8.4.2 As stated in paragraph 6.3 above, the separation distances between the two detached properties and those on Canton Street, does exceed the separation standards for hip-to-gable relationships and is therefore considered to be acceptable. The scale and massing of development adjacent to the southern site boundary is less than that proposed to the north of the site, in recognition of the closeness of the properties on Canton Street. Furthermore, as the properties would lie north of those on Canton Street, there would be no adverse impact in terms of over-shadowing. The separation of the proposed dwellings with those on Devonshire Road is substantial and would ensure no harm to the amenities of the occupiers to these properties.

### 8.5 Quality of Residential Environment Proposed

8.5.1 In terms of amenity space, each dwelling would be served by private rear gardens and whilst the garden depths are slightly less than the standards set out in the Residential Design Guide, they are characteristic of the surrounding

area and would provide a useable space for prospective occupants. The relationship of the proposed dwellings to one another is considered to create an acceptable residential environment and defensible space is provided between the front elevations of properties and the street. Cycle and refuse storage could be provided to the required standard and a condition is suggested to secure this.

## 8.6 Parking and Highways

8.6.1 The provision of ten parking spaces to serve the ten dwellings is in accordance with the Council's adopted maximum car parking standards. The opening up of Henry Street to traffic through the site offers an effective way for refuse collections vehicles to service the proposed development. Due to the constraints of the site, it would be difficult to achieve a refuse turning area within the site without impacting on the retained trees and resulting in a layout which would not be characteristic of the surrounding area. In addition to this, the opening up of Henry Street would also improve refuse collection arrangements for Canton Street and represent an improvement in highway safety terms. As such, the Highways Team have raised no objection to the proposed parking and access arrangements and the scheme is considered acceptable in this respect.

## 8.7 Mitigation of direct local impacts and Affordable Housing

8.7.1 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. Core Strategy policy CS15 requires the provision of 20% affordable housing on sites where there would be a net gain of between 5 and 15 units. The applicants have confirmed their willingness to secure at the sale of the site, the necessary obligations to mitigate against the scheme's direct local impacts.

## 9.0 Summary

9.1 The proposal development makes good use of previously developed land to provide a genuine mix of accommodation on a edge of city centre site. The proposal successfully responds to the constraints of the site without compromising the existing residential amenity and would have a positive visual impact on the area.

## 10.0 Conclusion

10.1 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), 3(a), 4 (f), (vv) 6 (a), (c), (f), (i), 7 (a)

**JT for 24/07/12 PROW Panel**