

**Planning, Transport & Sustainability Division**  
**Planning and Rights of Way Panel 19th November 2013**  
**Planning Application Report of the Planning and Development Manager**

<b>Application address:</b> Whitehaven Lodge, Buttermere Close			
<b>Proposed development:</b> Redevelopment of the site to provide 28 dwellings (5 x one-bedroom, 15 x two-bedroom, 7 x three-bedroom and 1 x four-bedroom) in 2-storey and 3-storey buildings with associated car parking and highway works (affects a public right of way).			
<b>Application number</b>	13/01384/FUL	<b>Application type</b>	FUL
<b>Case officer</b>	Jenna Turner	<b>Public speaking time</b>	15 minutes
<b>Last date for determination:</b>	28.11.13	<b>Ward</b>	Redbridge
<b>Reason for Panel Referral:</b>	Major planning application subject to objection	<b>Ward Councillors</b>	Cllr McEwing Cllr Whitbread Cllr Pope

<b>Applicant:</b> Tab Projects/Raglan Housing Association	<b>Agent:</b> Pope Priestley Architects LLP
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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. Eligible to apply for Affordable Housing Relief.</b>
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**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 19.11.13 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 level of parking is in accordance with the Council's adopted parking standards. 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. 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).

“Saved” Policies – SDP1, SDP4, SDP5, SDP6, SDP7, SDP8, SDP9, SDP10, SDP11, SDP12, SDP13, SDP14, HE6, 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 CS4, CS5, CS6, CS13, CS15, CS16, CS18, CS19, CS20 and CS25 and the Council’s current adopted Supplementary Planning Guidance. National Planning Guidance contained within National Planning Policy Framework (March 2012) is also relevant to the determination of this planning application.

<b>Appendix attached</b>			
1	Development Plan Policies		

**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 SPD relating to Planning Obligations (September 2013);

ii. Provision of affordable housing in accordance with Policies CS15, CS16 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (January 2010) and the adopted SPD relating to Planning Obligations (September 2013).

iii. 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.

iv. The submission 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)

2. In the event that the legal agreement is not completed by 28.11.13 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.

3. 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.

**1. The site and its context**

1.1 The application site is currently cleared and hoarded but previously comprised Whitehaven Lodge which was a 51 bedroom home for the elderly. The building, which was two-storey in scale, was demolished in 2011. The site is located on the corner of Green Lane and Buttermere Close and there is mature landscape planting along the boundary with Green Lane. There is a slight change in levels across the site.

1.2 The surrounding area is residential in character and Buttermere Close comprises two-storey terrace properties with pitched roofs and pale brick elevations.

## **2. Proposal**

- 2.1 The application seeks full planning permission to develop the site to provide 28 residential units which would be a mixture of 1 and 2 bedroom flats and 3 and 4 bedroom houses. It is intended that the scheme would be 100% affordable housing and a mix of unit sizes and types would be provided. A total of 34 car parking spaces is proposed to serve the development which includes the provision of 6 visitor spaces.
- 2.2 The scheme would have a perimeter block style layout with the development fronting Buttermere Close, with amenity space to the centre of the site and the landscape area to the Green Lane frontage retained and enhanced. The car parking would be provided through a combination of internal car parking courts and on-plot spaces for dwellings.
- 2.3 In terms of scale, the development is mainly two-storeys, with elements of three-storeys to the centre of the site. The development would take the form of contemporary terraced housing with pitched, tiled roofs and buff brick elevations.

## **3. 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 The site is not identified for a particular use within the Development Plan but lies within an area of low accessibility for public transport. Major developments are expected to meet high sustainable construction standards in accordance with adopted Core Strategy Policy CS20 and Local Plan “saved” Policy SDP13.
- 3.3 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. Relevant Planning History**

- 4.1 The planning permission for the previous care home for the elderly was granted in 1975 (reference 1492/CC2). More recently, in 2011 prior approval was granted for the demolition of the care home building (reference 11/00815/DPA).

## **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 (13.09.13) and erecting a site notice (17.09.13). At the time of writing the report **5** representations (including from Ward Cllrs Pope and Mc Ewing) have been received from surrounding residents. The following is a summary of the points raised:

5.2 ***The level of development is too much for the site.***

**Response**

The proposed development would achieve a density of 77 dwellings per hectare. Policy CS4 of the Core Strategy indicates that density levels should generally accord with the range of 35-50 d.p.h in areas of low accessibility such as this. However, the policy caveats this by setting out that density needs to be considered in the round taking into other factors including, character, open space and making efficient use of the previously developed land. The proposed density reflects the typical density of the character of the area, which is defined by terraced housing. The proposal itself does not exhibit any of the symptoms of over-development and is, therefore, considered to be acceptable.

5.3 ***The appearance of the development does not fit in with the existing character of Buttermere Close***

**Response**

The development proposes a terraced, perimeter block form which is positioned to address Buttermere Close, in a similar manner to the existing development within the street. The development incorporates pitched roofs with gable ends and proposes pale, brick elevations that would respond to the character of Buttermere Close. Overall, it is considered that the development responds to its context in a contemporary way, as encouraged by the Council's Residential Design Guide Supplementary Planning Document.

5.4 ***It would be better to develop the site for one bedroom homes for the elderly.***

**Response**

Policy CS16 of the Core Strategy supports a mix of housing types and requires up to 30% of the development to be family housing units, to meet a recognised need in the city for this type of accommodation. The application proposes a genuine mix of unit types and is therefore in accordance with policy CS16.

5.5 ***Insufficient car parking is proposed to serve the development and this will result in overspill parking onto the surrounding streets, adversely impacting on the amenities of existing residents.***

**Response**

The maximum number of car parking spaces permitted by the Parking Standards Supplementary Planning Document is 49 spaces. The proposed development would provide 34 spaces which is in accordance with the standard and allows for one space per dwelling and 6 visitor spaces. As such, the Highway Team have raised no objection to the level of parking proposed and the development is considered to be acceptable in this respect.

5.6 ***The additional traffic will result in congestion at the junction of Buttermere Close and Green Lane.***

**Response**

The Council's Highway Team are satisfied that the existing Buttermere Close/Green Lane junction can accommodate the additional vehicular trips proposed and as such have raised no objection to the application.

5.7 ***The three-storey buildings on site will appear too tall and will overlook existing properties in Buttermere Close.***

**Response**

The three-storey element of building is positioned towards the centre of the site and away from the site boundaries (approximately 18 metres from the boundary

with the nearest neighbour at 41 Buttermere Close). All the street frontage buildings on site would be two-storey in scale, which would enable the three-storey element to integrate into the street scene. Furthermore, the context within the vicinity of the site contains a variety of building heights which includes buildings of 5-storeys and upwards. The upper floor windows facing onto the boundaries with the neighbouring properties are secondary and conditions are suggested to require them to be obscure glazed and fixed shut. This would avoid any direct overlooking of the neighbouring properties.

### **Consultation Responses**

- 5.8 **SCC Highways** - No objection subject to a condition to secure adequate visibility splays.
- 5.9 **SCC Housing** – No objection. The intention is that the scheme would provide 100% affordable housing and this is welcome. There is a requirement to provide 10 affordable housing units and this should preferably be on site.
- 5.10 **SCC Sustainability Team** – No objection. Suggests conditions to ensure that the required sustainability measures are met.
- 5.11 **SCC Rights of Way Officer** – No objection.
- 5.12 **SCC Environmental Health** - No objection subject to conditions to minimise disruption during the construction process.
- 5.13 **SCC Environmental Health (Contaminated Land)** - No objection. The site may be subject to historic land contamination and conditions are suggested to assess the risk and to secure any remediation required.
- 5.14 **SCC Ecology** – No objection subject to a condition to secure ecological mitigation measures.
- 5.15 **SCC Historic Environment Team** – No objection subject to conditions to secure an archaeological investigation and scheme of works.
- 5.16 **SCC Trees** - No objection. The only trees proposed to be removed have limited amenity value and subject to conditions to secure replacements the scheme is considered to be acceptable
- 5.17 **Hampshire Constabulary** – Generally supportive of proposal. Recommend that doors are provided to the undercroft car parking to minimise opportunities for crime. This is discussed in more detail in paragraph 6.5.2 below.
- 5.18 **Southern Water** –No objection. Recommend a condition to secure details of foul and surface water disposal. Also suggest an informative be included on the decision notice to make the developer aware of the requirements for connection to the public sewerage system and water supply.

## **6. 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 and 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 and;
- vi. CIL and S106 mitigation

## 6.2 Principle of Development

6.2.1 The principle of making more efficient use of previously developed land to provide residential development is acceptable. The development incorporates 8 family housing units and an overall genuine mix of unit types and sizes and is therefore in accordance with policy CS16 of the Core Strategy. Policy CS5 of the Core Strategy sets out that residential density within areas of low accessibility should generally accord with the range of 35 to 50 dwellings per hectare and the density of a development should be assessed in terms of the character of the area, the open space, accessibility and the efficient use of land. The site is accessible to local shops, schools and open space and as set out below, the proposal meets the Council's Residential Design Standards. As such, the level of development proposed is considered to be acceptable. Furthermore the provision of 100% affordable housing is welcome (although the S106 can only secure the policy requirement of 35%). The principle of development is therefore, acceptable.

## 6.3 Design and Impact on Character

6.3.1 The development is designed to address Buttermere Close and would therefore establish a typical street scene with the existing properties on Buttermere Close. The development would follow the established building line in Buttermere Close and the form of the development responds to the terraced nature of properties within the site context. The development would be predominantly two-storeys in scale, stepping up to three-storeys towards the centre of the site, away from the site boundaries and street frontages. Furthermore, the three-storey element is positioned against the backdrop of a large communal amenity space area and in the context of taller buildings on Green Lane . As such, it is considered that the three-storey element would successfully integrate into the Buttermere Close street-scene.

6.3.2 Whilst the development would turn its back on Green Lane, this is typical of development in the surrounding area. Furthermore, the scheme would retain and strengthen the landscaping to the front boundary of the site, meaning that the Green Lane street scene would not be harmed by the proposed layout. The landscaping would also provide effective screening to the car parking area to the north-west corner of the site.

6.3.3 The proposed design approach is sufficiently varied to provide an interesting and attractive street scene whilst the use of repetition in terms of certain design features, the fenestration pattern and materials would also give the development a cohesive appearance. The development is also designed to successfully turn the corners of the site and the different units types are legible in the different elevational treatment. Overall, it is considered that a good-quality design approach would be achieved.

## 6.4 Impact on Amenities of Neighbours

- 6.4.1 The layout of the proposed development ensures that properties would either take outlook from the street or from the respective amenity space areas. As such, the proposal would not introduce any harmful overlooking of the existing neighbouring properties. The development respects the rear building line of the only adjoining residential property at no. 41 Buttermere Close and as such, would not have a harmful impact on the neighbouring occupiers. As stated above, the three-storey element is set well away from the boundary with no.41 by approximately 18 metres and so would not have a detrimental impact on residential amenity. Overall, the separation of the site from the residential properties which neighbour it assists in ensuring that the proposal would not cause harm in this respect.

## 6.5 Quality of the Residential Environment

- 6.5.1 A total of 620 sq.m of private communal amenity space would be provided to serve the proposed flats which would equate to 29 sq.m per unit. This exceeds the 20 sq.m standard set out in the Residential Design Guide Supplementary Planning Document. Each of the houses would be served by a private rear garden which range from between 56 and 73 sq.m in area. This also exceeds the 50 sq.m garden size set out in the Residential Design Guide. Where development fronts the street, it is set back from the edge of pavement and buffer planting would provide an area of defensible space for these properties. Each unit is served by purpose built cycle and refuse storage which would be secure and located conveniently in relation to the units.
- 6.5.2 In general, the proposed dwellings would also enjoy a good level of outlook from habitable room windows. Plot 11 has less than two metre separation from its ground floor secondary windows to the blank gable end of plot 12 and approximately 9 metre separation between the primary ground floor windows and plot 14. This is less than the 21 metre separation distance set out in the Residential Design Guide. However, the remainder of habitable accommodation within the dwelling would enjoy a good level of outlook and privacy and the dwelling would also benefit from the largest private garden within the development. As such, overall the quality of environment for this unit is considered to be acceptable.
- 6.5.3 Hampshire Constabulary have raised concerns that the undercroft car parking areas would be vulnerable to crime, however, this approach maximises the amount of on-plot car parking for residents. Furthermore, the undercroft spaces benefit from natural surveillance from secondary windows within the dwellings themselves which would minimise opportunities for crime and anti-social behaviour. As such, on balance, the development is considered to be acceptable in this respect and overall a high quality residential environment would be achieved.

## 6.6 Parking and Highways

- 6.6.1 The proposed car parking spaces relate well to the dwellings that they serve and the provision of 34 spaces provides one space for each of the proposed dwellings as well as provision for 6 visitor spaces. This level of car parking complies with the adopted maximum car parking standards, furthermore, as stated above the site is accessible to local facilities and amenities. The development would instate a new public footway adjacent to the western site boundary to link with the

existing pavement, to provide a continuous public route around the site. This would represent an improvement in highway safety terms. As such, the Council's Highways Team have raised no objection to the proposal and the scheme is considered acceptable in highway safety terms. In addition to this, it is proposed as part of the site specific highway mitigation, traffic calming measures to Buttermere Close would be secured through the section 106 legal agreement.

## 6.7 CIL and S106 mitigation

6.7.1 The proposal triggers the need for a section 106 legal agreement to mitigate the site specific highway impact of the development and to secure the level of affordable housing required by policy CS16 of the Core Strategy. The development would also be liable for the Community Infrastructure Levy, although the developer would be eligible to apply for relief from the charge for the affordable housing units provided on site.

## 7. Summary

7.1 The proposed development would be sympathetic to the character of the area and would provide a high quality residential environment for future occupants. The development complies with the Council's standards which seek to protect residential amenity and the provision of 28 affordable dwellings is welcome.

## 8. Conclusion

8.1 Subject to the imposition of the suggested conditions attached to this report and signing of the S.106 planning agreement, 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) (d) 4 (f) (g) 6 (a) (c) (f) (i) 7 (a) 8 (a)]

### **JT for 19/11/13 PROW Panel**

#### **PLANNING CONDITIONS**

##### **01. APPROVAL CONDITION - Full Permission Timing Condition - Physical works**

The development works hereby permitted shall begin not later than three years from the date on which this planning permission was granted.

Reason:

To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

##### **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 endeavouring to achieve a building of visual quality.

### 03. APPROVAL CONDITION - Landscaping, lighting & means of enclosure detailed plan [Pre-Commencement Condition]

Notwithstanding the submitted details before the commencement of any site works a detailed landscaping scheme and implementation timetable shall be submitted to and approved in writing by the Local Planning Authority, which includes:

- i. proposed finished ground levels or contours and hard surfacing materials;
- ii. planting plans; 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;
- iii. 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);
- iv. details of any proposed boundary treatment, including any retaining walls;
- v. 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

### 04. APPROVAL CONDITION - Residential - Permitted Development Restriction [Performance Condition]

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), or any Order amending, revoking or re-enacting

that Order, no building or structures within Schedule 2, Part 1, Classes as listed below shall be erected or carried out to any dwelling house hereby permitted without the prior written consent of the Local Planning Authority:

Class A (enlargement of a dwelling house), including a garage or extensions,

Class B (roof alteration),

Class C (other alteration to the roof),

Class D (porches)

Class F (Hardstanding)

Reason:

In order that the Local Planning Authority may exercise further control in this locality given the small private garden and amenity areas provided as part of this development in the interests of the comprehensive development and visual amenities of the area.

#### 05. 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.

06. 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.

07. 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.

08. 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.

09. APPROVAL CONDITION - Code for Sustainable Homes [Pre-Commencement Condition]

Before the development commences, written documentary evidence demonstrating that the development will achieve at minimum Level 4 of the Code for Sustainable Homes in the form of a design stage assessment, 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).

#### 10. APPROVAL CONDITION - Code for Sustainable Homes [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 Level 4 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, 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).

#### 11. 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.

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

Prior to the commencement of any development a written construction environment management plan shall be submitted to and approved by the LPA. The plan shall contain method statements and site specific plans to prevent or minimise impacts from noise, vibration, dust and odour for all operations, as well as proposals to monitor these measures at the site boundary to ensure emissions are minimised beyond the site boundary. All specified measures shall be available and implemented during any processes for which those measures are required.

Reason:

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

#### 13. APPROVAL CONDITION - Wheel Cleaning Facilities [Pre-Use Condition]

During the period of the preparation of the site, excavation for foundations or services and the construction of the development, wheel cleaning facilities shall be available on the site and no lorry shall leave the site until its wheels are sufficiently clean to prevent mud being carried onto the highway.

Reason:

In the interests of highway safety.

14. APPROVAL CONDITION - Archaeological 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.

15. APPROVAL CONDITION - Archaeological work programme [Performance Condition]

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

Reason:

To ensure that the archaeological investigation is completed.

16. APPROVAL CONDITION - vegetation retention and protection [Pre-Commencement Condition]

No development, including site works of any description, shall take place on the site unless and until all the existing bushes, shrubs, and hedgerows to be retained on the site have been protected by a fence to be approved in writing by the Local Planning Authority erected around each area of vegetation at a radius from the stem or stems of 5 metres or such other distance as may be agreed in writing by the Local Planning Authority. Within the area so fenced off the existing ground levels shall be neither raised or lowered and no materials, temporary buildings, plant machinery, rubble or surplus soil shall be placed or stored thereon without the prior written approval of the Local Planning Authority. If any trenches for services are required in the fenced off areas they shall be excavated and backfilled by hand and any roots encountered with a diameter of 25mm or more shall be left un-severed.

Reason:

To ensure the retention and maintenance of vegetation which is an important feature of the area.

17. APPROVAL CONDITION - replacement trees [Performance Condition]

Any trees to be felled pursuant to this decision notice will be replaced with species of trees to be agreed in writing with the Local Planning Authority at a ratio of two replacement trees for every single tree removed. The trees will be planted within the site or at a place agreed in writing with the Local Planning Authority. The Developer shall be responsible for any replacements for a period of 5 years from the date of planting. The replacement planting shall be carried out within the next planting season (between November and March) following the completion of construction. If the trees, within a period of 5 years from the date of planting die, fail to establish, are removed or become damaged or diseased, they will be replaced by the site owner / site developer or person responsible for the upkeep of the land in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason:

To improve the appearance of the site and enhance the character of the development in the interests of visual amenity, to ensure that the development makes a positive contribution to the local environment and, in accordance with the duty required of the Local Planning Authority by Section 197 of the Town and Country Planning Act 1990.

18. APPROVAL CONDITION - Ecological Mitigation Measures [performance condition]

The ecological mitigation measures set out in the Capita Symonds Ecology report (reference CS/048056 dated 31.01.11) shall be implemented in accordance with these details before the development hereby approved first comes into occupation.

Reason:

To enhance local biodiversity.

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

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

Reason:

To secure a satisfactory form of development

20. APPROVAL CONDITION - Refuse & Recycling Bin Storage [performance condition]

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

Reason:

In the interests of the visual appearance of the building and the area in general.

21. APPROVAL CONDITION - Cycle Storage [pre-occupation condition]

Before the development hereby approved first comes into occupation details of the external appearance of the cycle storage shall be submitted to the Local Planning Authority for approval in writing. The cycle storage shall be provided in accordance with the agreed details for the development is first occupied and thereafter retained as approved.

Reason:

To promote cycling as an alternative mode of transport to the private car

22. APPROVAL CONDITION - Amenity Space Access [performance condition]

The amenity space areas shown on the plans hereby approved, and pedestrian access to it, shall be made available as amenity space prior to the first occupation of the dwellings hereby permitted and shall be retained with access to it at all times for the use of all occupiers of the development .

Reason:

To ensure the provision of adequate amenity space in association with the approved dwellings.

#### 23. APPROVAL CONDITION - Parking and Access [pre-occupation condition]

Prior to the occupation of the development hereby approved both the access to the site and the parking spaces for the development shall be provided in accordance with the plans hereby approved. The parking shall be retained for that purpose and not used for any commercial activity.

Reason:

To ensure a satisfactory form of development.

#### 24. APPROVAL CONDITION- Obscure Glazing [performance condition]

The windows above ground floor level in the north-east side elevation, of the 3-storey flatted block facing onto 41 Buttermere Close shall be fixed shut and obscurely glazed up to a height of 1.7 metres from the internal floor level and thereafter retained in this manner.

Reason:

In the interests of the privacy of the neighbouring properties and the amenities of the prospective occupants of the development.

#### 25. APPROVAL CONDITION - Approved Plans

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

Reason:

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

#### Note to Applicant

##### 1. Note to applicant - Southern Water

A formal application for connection to the public sewerage system and a formal application to connect to the water supply in order to service this development. Please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester SO23 9EH.

##### 2. Note to Applicant - Community Infrastructure Liability (Approval)

You are advised that the development appears liable to pay the Community Infrastructure Levy (CIL). Please ensure that you assume CIL liability prior to the commencement of the development (including any demolition works) otherwise a number of consequences could arise. For further information please refer to the CIL pages on the Council's website at: <http://www.southampton.gov.uk/s-environment/policy/community-infrastructure-levy-guidance.aspx> or contact the Council's CIL Officer.

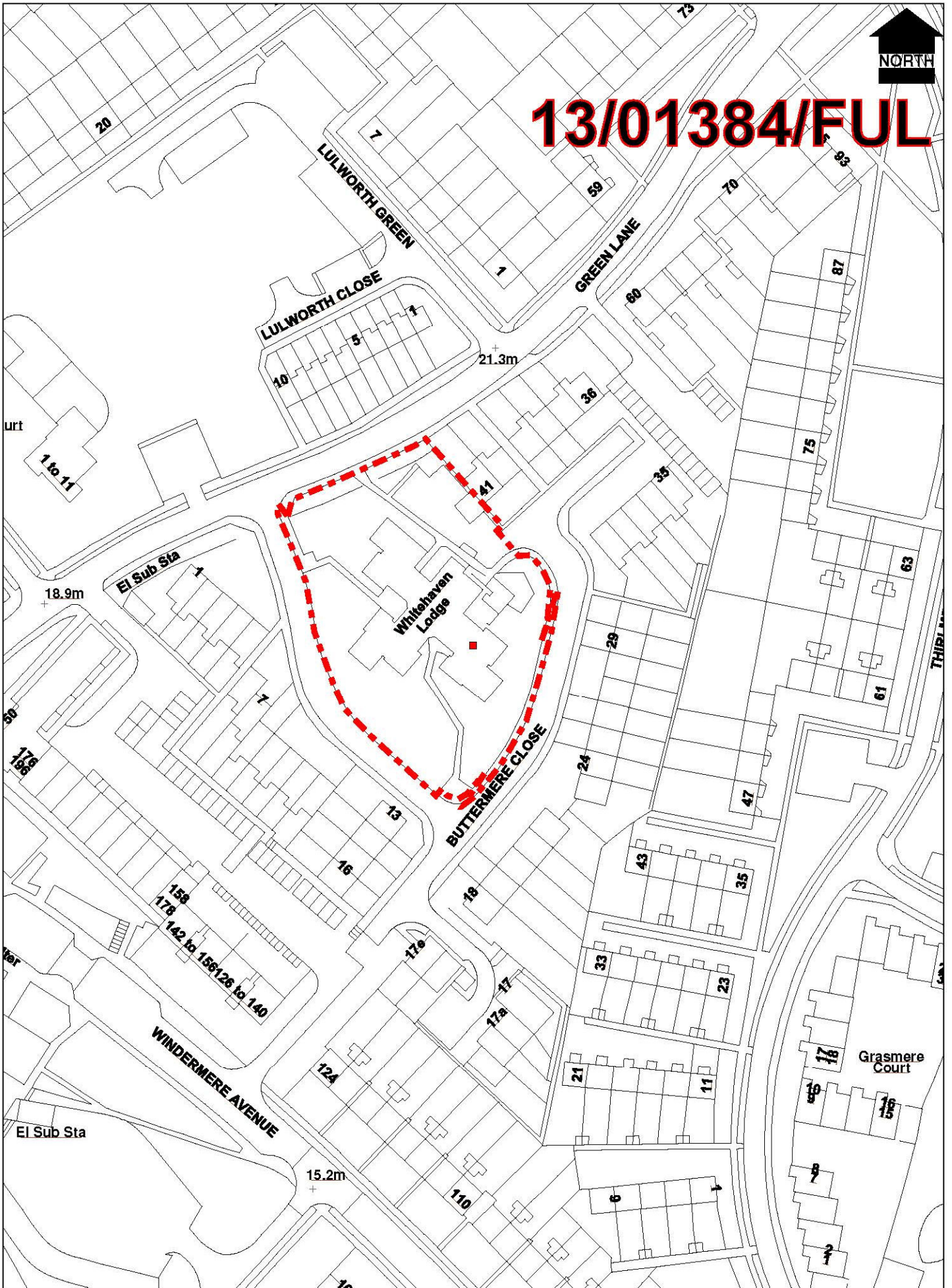
### 3. Note to Applicant - Pre-Commencement Conditions

Your attention is drawn to the pre-commencement conditions above which require the full terms of the condition to be satisfied before development commences. In order to discharge these conditions you are advised that a formal application for condition discharge is required. You should allow approximately 8 weeks, following validation, for a decision to be made on such an application. If the Decision Notice includes a contaminated land condition you should contact the Council's Environmental Health Department, and allow sufficient time in the process to resolve any issues prior to the commencement of development. It is important that you note that if development commences without the conditions having been formally discharged by the Council in writing, any development taking place will be unauthorised in planning terms and this may invalidate the Planning Permission issued. Furthermore this may result in the Council taking enforcement action against the unauthorised development. If you are in any doubt please contact the Council's Development Management Service.





**13/01384/FUL**



Scale : 1:1250

Date 06 November 2013

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**POLICY CONTEXT**

Core Strategy - (January 2010)

CS4	Housing Delivery
CS6	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
CS24	Access to Jobs
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
SDP22	Contaminated Land
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 Southampton Community Infrastructure Levy Charging Schedule (September 2013)  
The National Planning Policy Framework 2012