

Southampton City Planning & Sustainability  
 Planning and Rights of Way Panel meeting 13 April 2010  
 Planning Application Report of the Head of Division

Application address		<b>171 Porchester Road</b>	
Proposed development			
<b>Re-development of the site. Demolition of the existing house and erection of a part two-storey and part three-storey building to provide 17 flats (8 x one-bedroom, 4 x two-bedroom and 5 x three-bedroom) with associated access and parking (Amended to include revised layout and design).</b>			
Application number	<b>10/00060/FUL</b>	Application type	Full
Case officer	Andy Gregory	Application category	Q07 - Smallscale Major Dwellings

<b>Recommendation Summary</b>	<b>Delegate to Head of Planning &amp; Sustainability to grant planning permission subject to criteria listed in report</b>
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Reason for Panel consideration	Major development (small scale) requiring completion of legal agreement under Section 106 of the 1990 Act
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Applicant Orchard Homes Ltd	Agent Tony Oldfield Architects
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Date of receipt	27.01.2010	Ward	Woolston
Date of registration	27.01.2010	Ward members	Cllr Cunio
Publicity expiry	15.04.2010		Cllr Williams
Date to determine	<b>28.04.2010 IN TIME</b>		Cllr Payne

Site area	0.13 Hectares	Usable amenity area	504 sq.m, including 373 sq.m (private) 131 sq. m (communal)
Site coverage (developed area)	69%		
Density - whole site	<b>130 dph</b>		

Residential mix	numbers	size sqm	Other land uses	class	size sqm
Studio / 1-bedroom	8	45	Commercial use		
2-bedroom	4	57	Retail use		
3-bedroom	5	67-77	Leisure use		
other			other		
Policy designation	No specific allocation – located within residential area				

Accessibility zone	Medium	Policy parking max	11 spaces
Parking Permit Zone	<b>no</b>	existing site parking	2
bicycles	26 cycles	car parking provision	12 spaces

Key submitted documents supporting application			
1	Design and Access Statement	2	Noise Assessment
3	Community Involvement	4	Tree Report
Appendix attached			
1	Local Plan Policy schedule	2	Decision Notice for 08/00086/FUL

## **Recommendation in full**

Subject to no fresh planning issues being raised before expiry of the 21 day re-notification period (15 April 2010) Delegate to Head of Planning & Sustainability to grant planning permission subject to the completion of a S106 legal agreement to secure:

- i) Provision of affordable housing in accordance with Policies CS15 and CS25 of the adopted LDF Core Strategy (2010);
- ii) 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);
- iii) 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;
- iv) 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”)
  - Play Space
  - Playing Field;
- 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.
- vi) Off site tree provision in the event that 2:1 tree replacement cannot be achieved on site.

And in the event that the legal agreement is not completed by the 13 week date (28.04.2010) the Head of Planning & sustainability be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Agreement.

## **Proposed Development and surrounding context**

### Site and surrounds

The application site has an area of 0.13 hectares and is located at the corner of Porchester Road and Station Road. The site is occupied by a two-storey detached dwelling set within a large garden. A detached garage is located to the rear of the plot and is served by a long driveway with access onto Porchester Road. The dwelling is traditional in appearance with a white render finish. The site is reasonably level, however it banks up towards the south-eastern boundary on account of a road bridge. A railway line runs adjacent to the north-eastern boundary. The site is enclosed by a hedgerow along the north-eastern boundary, low wall to the south-western boundary, 1.8m height c/b fence along the north-western boundary and part wall / part fencing to the north-eastern boundary with the railway line.

The surrounding area is predominantly residential in nature and mainly comprises low rise two-storey residential development. However the adjacent corner site is occupied by the Oasis Academy which comprises three-storey building which rises to a scale of four-storey at the corner of Porchester Road and Station Road with a curved feature building. The south-eastern side of Station Road is occupied by a mix of two-storey residential and a small parade of shops, near the junction with Portsmouth Road. A three-storey building is located to the rear of the aforementioned shopping parade and planning permission has recently been approved for the redevelopment of the Conservative Club on St Annes Road with a 3 storey care home.

There are no parking restrictions within Porchester Road, except at the school entrance and at the junction of Porchester Road and Station Road. Porchester Road has no entry for cars from the eastern end, with bicycle and pedestrian access only. The site is situated within an area of medium accessibility and is in close proximity to Sholing Station, which is located immediately to the east.

### Proposed Development

The application proposes the redevelopment of the site with the erection of a part two and part three storey flatted block comprising 17 flats (5 x3-bed, 4x2-bed and 8x1-bed). The proposed layout situates the building centrally within the plot and respects the established building line within Porchester Road.

Access is taken from Porchester Road with an enlarged and re-positioned entry point for vehicles and pedestrians. A small car parking area accommodating 3 vehicles, interspersed with landscaping, is located on the Porchester Road frontage.

The building incorporates an undercroft, which includes 3 car parking spaces and provides access to an additional 6 car parking spaces to the rear of the site. Communal amenity space is located to the rear of the site. The eastern part of the site is occupied, as proposed, as private gardens to serve family 3-bedroom family accommodation on the ground floor. Additional private garden areas are located to the front and rear of the building.

Integral bin and cycle storage is provided and additional cycle storage is provided to the rear of the site. The proposed facing materials include a mix of face brick and render.

The proposed building has a contemporary form and includes staggered and stepped elements to break up the massing. The roof design includes a mix of flat roof elements and asymmetric shallow pitched roofs. Balconies are proposed on the south-west, south-east and north-east elevations, and a roof terrace is located to the rear. The proposed facing materials include face brick, soldier course detailing, render and a mix of concrete interlocking tiles and zinc metal for the flat roofs, with UPVC windows, doors and rainwater goods. The proposed balconies comprise a mix of glass and painted steel, with a timber deck.

The main entrance into the building is located within the undercroft, and serves a communal corridor and stairway to the upper floors. The internal layout includes 4 no. 3 bedroom units on the ground. An additional 3-bed unit is located on the second-floor and is served by the roof terrace area. All the other 1 and 2 bedroom units are located on the upper floors.

The proposal will require the removal of 7 trees within the garden, none of which are protected by a TPO. However 7 replacement trees are proposed, and an additional 7 trees will be required on or off site as part of the 2:1 tree replacement to be secured by the S106 legal agreement. The proposed means of site enclosure includes the provision of a low level brick wall along the Porchester Road frontage, retention of the existing mature hedgerow along the boundary with Station Road, close boarded fencing is proposed along the western boundary and a 1.8m height rendered wall is proposed along the rear boundary,

### **Relevant Planning Policy**

Following the receipt of the Inspector's Report from the Examination into the Southampton Core Strategy Development Plan Document (13/10/2009) and its consideration and adoption by the Council (20/01/2010) the policies of the LDF Core Strategy, and those "saved" from the Local Plan Review, form the planning policy framework against which this application should be determined.

The relevant CS policies the "saved" policies from the Local Plan Review are set out at **Appendix 1**.

There are no site-specific policies which relate to the application.

### **Sustainability Implications**

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 the applicants have submitted a 'Sustainable Development Checklist' to support their application and have been made aware that the development is required to achieve a minimum of level 3 of the Code for Sustainable Homes; which is recommended to be secured through condition. The Council's sustainability team has also advised the applicants that an assessment of the feasibility of incorporating at least 20% micro-renewables will be required; to be secured through condition.

### **Relevant Planning History**

08/00086/FUL

*Refuse 09.04.2008*

Redevelopment of the site. Demolition of the existing house and erection of a three-storey building to provide 14 x two-bedroom flats with associated parking.

The decision notice is attached as **Appendix 2**.

### **Consultation Responses and Notification Representations**

A consultation exercise in line with department procedures was undertaken undertaken which included notifying adjoining and nearby landowners, placing a press advertisement (04 February 2010) as appropriate and erecting a site notice (04 February 2010 and 25 March 2010 following amendments to the scheme). At the time of writing the report **24 representations** had been received, which included 2 from Local Ward Councillors.

### Summary of Representations made

- Overdevelopment of the site
- Flats are out of character with established family housing within the area
- Increased overlooking to neighbouring properties
- Intensified use of the site / increased traffic movements will lead to increased congestion at the junction and will prejudice highway and pedestrian safety
- Car parking displacement into nearby streets / increased demand for on-street car parking within Porchester Road
- There is a surplus of flatted accommodation across the city
- Loss of light to 169 Porchester Road
- Noise nuisance arising from the car parking layout and the nature of the use.
- Existing highway restrictions will compromise the safety of the access.
- Irresponsible planting of new trees could result in damage to drainage and may damage the foundations of 169 Porchester Road.

These issues are addressed in the 'planning considerations' section of this report.

### Summary of Consultation comments

**Highway Development Control** – No highway objection is raised to the proposal subject to the attached planning conditions and the completion of a S.106 legal agreement. The application site is located within an area defined as having “medium” accessibility to public transport and services. The development is not considered to compromise highway safety. The hard landscaping will need to be designed to give pedestrians priority. The provision of 12 parking spaces to serve the proposed level of development exceeds the Council’s maximum parking standards which is considered acceptable having regard to the take of existing on-street parking within the area. The height of the boundary treatment to Porchester Road will be restricted and a sliver of land along the Station Road frontage will need to be dedicated as public highway to improve the sight lines at the junction, to be secured by planning condition.

**Southern Water** – No objection raised subject to condition requiring details of surface water disposal, and an informative regarding connection to the public sewer.

**Trees** – No objection raised. The trees on site are not covered by any TPO. Although the conifers along the front boundary on Porchester Road have public amenity value, these will not be conducive to the proposed housing as shading would become an on-going issue. The remainder of the trees on site are of poor quality and low public amenity value. As this site requires the removal of 7 trees, a condition is required securing replacement trees (to be agreed).

**Ecology** - No objection raised. The development is unlikely to have any adverse effect on local biodiversity provided the hedgerow along the boundary with Station Road is retained and managed appropriately. The addition of a number of bat boxes, plus the use of native species in the landscaping scheme would provide appropriate biodiversity enhancements. Ecology mitigation should be secured through condition.

**Sustainability** - No objection. Compliance with level 3 of the code for sustainable homes should be secured as a minimum and a feasibility study investigating the

incorporation of a minimum of 20% micro-renewables should be secured through condition.

**Architect's Panel** – No objection to the proposed scale, layout and design. Comments relating to the ground floor arrangement, balcony treatment on the rear elevation and position of the undercroft have now been incorporated.

**Environment Agency** - Assess the application as having a low environmental risk.

**Network Rail** – No comment to make.

**Pollution & Safety (Noise)** – No objection raised subject to a condition requiring sound insulation details to be submitted and agreed, in accordance with the recommendations of the submitted acoustic report.

## **Planning Consideration Key Issues**

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

- Principle of development;
- Residential design, density and impact on established character;
- The impact on existing residential amenity;
- The quality of residential environment for future occupants; and,
- Whether the travel demands of the development can be met;
- S106 Mitigation against direct impacts.

### 1. Principle of Development

The re-development of the site for intensified residential purposes is acceptable in principle and accords with policies contained within the development plan and central government's wishes of brownfield sites.

The provision of 17 flats (8 x one-bedroom, 4 x two-bedroom and 5 x three-bedroom) will provide a greater choice and mix of accommodation within this community, in accordance with central government planning guidance on housing development (PPS3). The provision of a wholly flatted development in this location is acceptable and will not affect the character or appearance of the area. The development has made provision for 30% family housing in accordance with policy CS16 of the Core Strategy by providing 5 x three-bedroom flats with direct access to private amenity space which is fit for purpose.

The development has a density of 130 dwellings per hectare; the local plan does not contain maximum density levels however the Council's Residential Design Guide advocates a density range of 50-100 dwellings per hectare within areas of medium accessibility. It is considered that density should not be an arbitrary figure that defines the manner in which the City develops. Instead, density should be taken as a guide to the appropriateness of a scheme; if a residential layout and design is considered to be appropriate for its context (as is the case here) it is these assessments that should prevail. The proposed density level is considered acceptable because the scale and layout of the development is suitable for this corner site and maintains a good balance between usable on site amenity space (compliant with standard), parking (also compliant with standard) and landscaping.

The site falls within Noise Exposure Category (NEC) B, as defined by PPS24, and therefore mitigation measures can be introduced to prevent noise being unreasonable harmful to future occupiers. The Council's Pollution & Safety Team are

satisfied with the recommendations of the report

## 2. Residential design and impact on established character

A Design and Access Statement has been submitted in accordance with the requirements of saved policy SDP6 of the Local Plan Review and identifies measures to be taken into account when maintaining the character of the area and achieving high standards of design. The proposed design, layout and scale of development is not considered to be adversely harmful to the surrounding pattern of development, having had regard to Central Government's wish to secure appropriate design that respects its context.

The surrounding area includes a mix of two-storey housing and larger 3-4 storey buildings. The design and scale of the development has sought to respect the established development within Porchester Road by picking up the existing building line, and making reference to the established eaves height and roof form of the established dwellings within the street. The development is two-storey adjacent to the existing housing providing a transition before stepping up to a scale of three-storey, which acceptably addresses the corner in accordance with current design guidance. For instance, the Councils Residential Design Guide advises that tall buildings may be considered on corner plots to create a visual focus at the end of the street. The building has been set away from the street frontage to ensure it does not appear over-dominant and to respect the frontage depths of neighbouring properties within the area. The proportion of the undercroft is considered acceptable in design terms.

The existing landscaped areas and trees on site are not safeguarded. The proposal seeks to provide enhanced replacement tree planting and landscaping to compensate for any loss.

The proposed design approach responds to the local context and will not be detrimental to the visual amenities of the area. Details of materials will be secured through condition; however an acceptable materials palette is currently proposed.

## 3. Impact on Residential Amenity

Following receipt of amended plans, the residential amenities of nearby residents will not be adversely harmed. The proposed development will not give rise to a harmful sense of enclosure, loss of light, shadowing or overlooking / loss of privacy, having regard to the separation distance and orientation of the proposed development in relation to neighbouring properties and gardens.

The proposed development introduces two-storey development along the eastern boundary to create an arrangement which is common between existing dwellings within Porchester Road. This will result in a degree of light loss to existing openings within the side of no. 169 Porchester Road. However, this arrangement is not considered unreasonably harmful given the secondary nature of the openings, which include doorways and secondary windows. It should be noted that the existing openings are already enclosed by the existing 1.8m close boarded fencing.

The building is stepped in from the boundary after the first 8 metres, again reflecting the layout of existing dwellings within the street. This creates a 6 metre separation distance from windows to the rear of no. 169 Porchester Road and is compliant with the BRE daylighting standards to the side of a property. The remaining part of the building is then set a distance of 16 - 21 metres from the western boundary. This is considered a sufficient separation distance to prevent unreasonable enclosure, loss of light or loss of privacy to no. 169 Porchester Road. A condition will be added to ensure that secondary windows within the north western elevation of the proposed

development serving the landing are obscured to prevent overlooking. Oblique views from the rear windows of no. 169 Porchester Road will be uninterrupted, with views across the rear car parking area and amenity space.

An acceptable separation distance of approximately 30 metres will exist between the rear elevation and dwellings on the adjacent side of the railway line, which is acceptable in terms of privacy, daylighting and outlook. There will be no unreasonable harm to adjacent properties on Station Road again having regard to the orientation and separation distance between buildings and mitigation from the existing hedgerow and level changes.

The rear car parking area will not give rise to unreasonable noise nuisance having regard to the anticipated level of traffic movements and mitigation from the means of site enclosure and proposed landscaped buffer. The provision of rear car parking is a common design approach to prevent the car parking dominating the frontage of schemes. Intensified use of brownfield sites for housing delivery is promoted by Central Government, any noise nuisance arising from future occupiers will need to be addressed separately by Environmental Health legislation.

#### 4. Residential Standards

All new residential development is expected to provide prospective residents with a good living environment. The majority of units are large with dual aspect. It is however unfortunate that the proposed layout results in the incorporation of a 2-bedroom flat with a single north facing aspect. This weakness in the scheme needs to be weighed in the balance with the merits of the scheme. It is considered that the delivery of a genuine mix of residential accommodation within the community, without compromising the character and appearance of the area, is considered to outweigh this weakness in the proposed layout. It should be noted that the 2-bedroom unit will receive a genuine outlook to the rear, which is achieved from its elevated position within the 1<sup>st</sup> floor.

In amenity terms the residential environment for all the other units is acceptable and does not lead to an unacceptable living environment in this instance. The internal layout is compatible with modern living standards and all habitable rooms are served by natural lighting and ventilation.

The development provides private gardens for the 3-bedroom family units ranging from 45-119 square metres in size (a 20 square metre minimum standard applies). The rear 3-bedroom unit is served by a narrow amenity area, but it should be noted that this unit also located immediately adjacent to the communal amenity area. The second-floor 3-bed unit is served by a roof terrace with an area of 45 square metres which is acceptable. The remaining 12 no. 1 & 2-bedroom units are served by a communal amenity area which is 131 square metres in size. Independent private balconies are also provided which is acceptable. The scheme meets the Residential Design Guide Standards as set out at paragraph 2.3.14.

#### 5. Highway Issues

The application site is within an area, which is defined as a “medium” accessibility zone in the Adopted Local Plan. The level of parking provision proposed needs to be assessed against the maximum parking standards set out in the adopted Local Plan. The development proposes 12 car parking spaces which exceeds the Council’s maximum parking standards. The level of parking provision and access arrangement will not prejudice highway safety, subject to the securing of sight lines through condition.

#### S.106 Legal Agreement



In the event that the recommendation is supported the applicants have agreed to enter into a S.106 Legal Agreement with the Council in order to secure contributions towards transport and open space improvements that mitigate against the development's direct impacts. In addition, the proposed level of development triggers the need for a minimum of 6 units to be provided as "affordable" (applying Core Strategy Policy CS15).

### Previous Reasons for Refusal

This proposal is considered to address the previous reasons for refusal (ref – 08/00086/FUL) attached as **Appendix 2**. The revised layout, design, scale and massing is now considered appropriate within this context and will not unreasonably harm the residential amenities of neighbouring occupiers for the reasons set out above. The proposed vehicular access width and bin storage arrangement is now considered acceptable by the Council's Highway Engineers. In addition, an acoustic report has been submitted as part of this report which has been supported by the Council's Environmental Health Team

### **Summary**

The previous reasons for refusal (ref – 08/00086/FUL) have been addressed. Overall the scheme is acceptable and the level of development proposed will not result in an adverse impact on the amenities enjoyed by surrounding occupiers or to the character and appearance of the area. On balance the residential environment for future occupiers is acceptable. The proposal is consistent with adopted local planning policies. A suitable balance has been achieved between securing additional housing, parking, on-site amenity space and landscaping, whilst ensuring that existing residential amenity is protected.

### **Conclusion**

By securing the matters set out in the recommendations section of this report and the completion of a Section 106 agreement, the proposal would be acceptable. The application is therefore recommended for delegated approval to the Development Control Manager.

### **Local Government (Access to Information) Act 1985**

#### **Documents used in the preparation of this report Background Papers**

1(a), 1(b), 1(c), 3(a), 4(s), 6(a), 6(c), 6(f), 6(h), 7(c), 8(a), 9(a), 9(b), 2(c),  
LDF Core Strategy and saved policies from Local Plan (Review)  
AG 30.03.10 for 13.04.10 PROW Panel

## **CONDITIONS for 10/00060/FUL**

### **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]**

No development works shall be carried out unless and until a schedule of materials and finishes (including 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 has been submitted to and approved in writing by the Local Planning Authority

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 - Wheel Cleaning**

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 have been cleaned sufficiently to prevent mud being carried onto the highway.

REASON:

In the interests of highway safety.

### **04. APPROVAL CONDITION - Car Parking**

The car parking area shown on the approved drawing shall be laid out and surfaced before the use hereby permitted commences and shall thereafter be kept clear and maintained at all times for that purpose.

REASON:

To prevent obstruction to traffic in neighbouring roads.

### **05. APPROVAL CONDITION - Bicycle storage**

The building shall not be occupied in full or in part until 4 cycle stands, in addition to the cycle storage shown on the approved plans, have been made available for visitors to the site in accordance with plans to be submitted to and approved in writing by the Local Planning

Authority. The cycle stands hereby approved shall thereafter be retained on site for that purpose.

REASON:

To encourage cycling as a sustainable form of transport.

#### **06. APPROVAL CONDITION - Existing Access**

Any existing access to the site shall be stopped up and abandoned and footway and verge crossings shall be reinstated immediately after completion of the new access.

REASON:

In the interests of highway safety.

#### **07. APPROVAL CONDITION - Euro Bin Storage Condition**

The bin store shall be constructed of brick under a suitable weatherproof roof, with adequate ventilation. The collection doors are to be of sturdy construction and hinged to open outwards with a minimum opening of 1.4m wide, and any lock system to comply with SCC standard lock requirements.

Internal lighting to operate when doors are open, and a tap and wash down gulley to be provided, with suitable falls to the floor. The access path to the bin store shall be constructed to footpath standards and to be a minimum width of 1.5m. Any gates on the pathway are not to be lockable, unless they comply with SCC standard lock detail. The gradient of the access path to the bin store shall not exceed 1:12 unless suitable anti-slip surfacing is used, and still shall not exceed 1:10.

REASON:

To secure a satisfactory form of development

#### **08. APPROVAL CONDITION – Renewable Energy - Micro-Renewables**

An assessment of the development's total energy demand and a feasibility study for the inclusion of renewable energy technologies on the site, that will achieve a reduction in CO2 emissions [of at least 20%] must be conducted. Plans for the incorporation of renewable energy technologies to the scale that is demonstrated to be feasible by the study, and that will reduce the CO2 emissions of the development [by at least 20%] must be submitted and approved in writing by the Local Planning Authority prior to the commencement of the development hereby granted consent. Renewable technologies that meet the agreed specifications must be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained thereafter.

Reason:

To reduce the impact of the development on climate change and finite energy resources and to comply with adopted policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010). Also to comply with policy NRM11 of the Regional Spatial Strategy for the South East of England adopted version (May 2009)

#### **09. APPROVAL CONDITION – Code for Sustainable Homes (residential development) [Pre-Commencement Condition]**

Written documentary evidence demonstrating that the development shall achieve at minimum Code Level 3 against the Code for Sustainable Homes standard shall be submitted to the Local Planning Authority and verified in writing prior to the commencement of the development hereby granted consent unless otherwise agreed in writing by the Local Planning Authority. The evidence shall take the form of an interim certificate as issued by a qualified BRE Assessor. Full compliance with the condition shall only be achieved once the

Local Planning Authority has received and verified in writing, written documentary evidence demonstrating that the scheme achieves at minimum a rating of Level 3 against the Code for Sustainable Home standard prior to the occupation of the development (unless a different time frame is agreed in writing). The evidence shall take the form of a post construction certificate as issued by a qualified BRE Assessor.

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). Also to comply with policy NRM11 of the Regional Spatial Strategy for the South East of England adopted version (May 2009)

#### **10. APPROVAL CONDITION – Code for Sustainable Homes (residential development) [Pre-Commencement Condition]**

Written documentary evidence demonstrating that the development shall achieve at minimum Code Level 3 against the Code for Sustainable Homes standard shall be submitted to the Local Planning Authority and verified in writing prior to the commencement of the development hereby granted consent unless otherwise agreed in writing by the Local Planning Authority. The evidence shall take the form of an interim certificate as issued by a qualified BRE Assessor. Full compliance with the condition shall only be achieved once the Local Planning Authority has received and verified in writing, written documentary evidence demonstrating that the scheme achieves at minimum a rating of Level 3 against the Code for Sustainable Home standard prior to the occupation of the development (unless a different time frame is agreed in writing). The evidence shall take the form of a post construction certificate as issued by a qualified BRE Assessor.

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). Also to comply with policy NRM11 of the Regional Spatial Strategy for the South East of England adopted version (May 2009).

#### **11. APPROVAL CONDITION - Ecological Mitigation Statement [Pre-Commencement Condition]**

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

Reason

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

#### **12. 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 LPA.

In addition deliveries of construction materials to the site and the removal of any waste materials from the site shall not take place during the following hours:-

Monday to Friday 08.00 hours and 09.30 Hours (8.00am to 9.30 am)

Monday to Friday 15.00 hours and 16.30 hours (3.00pm to 4.30pm)

and at no time on Saturdays, Sundays and public holidays to take account of the occupation and proximity of neighbouring residential properties.

Reason

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

### **13. APPROVAL CONDITION - Landscaping detailed plan [Pre-Commencement Condition]**

Before the commencement of any site works a detailed landscaping scheme and implementation timetable, which clearly indicates the numbers, planting densities, types, planting size and species of trees and shrubs to be planted, and treatment of hard surfaced areas, shall be submitted to and approved in writing by the Local Planning Authority.

The landscaping scheme shall specify all trees to be retained and to be lost and shall provide an accurate tree survey with full justification for the retention of trees or their loss. Any trees to be lost shall be replaced on a favourable basis (a two-for one basis unless circumstances dictate otherwise) to ensure a suitable environment is provided on the site.

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 scheme 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.

### **14. APPROVAL CONDITION – Means of enclosure [Pre-Occupation Condition]**

Before occupation of the development hereby approved, details of the design and specifications of the boundary treatment of the site shall be submitted to and approved in writing by the Local Planning Authority. The agreed boundary enclosure details shall be subsequently erected prior to the occupation of any of the units provided under this permission and such boundary treatment shall thereafter be retained and maintained to the boundaries of the site.

REASON:

In the interests of the visual amenities of the area and to protect the amenities and privacy of

the occupiers of adjoining property.

#### **15. APPROVAL CONDITION – Lighting [Pre-Commencement Condition]**

A written lighting scheme including light scatter diagram with relevant contours shall be submitted to and approved in writing by the Local Planning Authority prior to implementation of the lighting scheme. The scheme must demonstrate compliance with table 1 “Obtrusive Light Limitations for Exterior Lighting Installations”, by the Institution of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light 2005. The installation must be maintained in accordance with the agreed written scheme.

REASON:

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

#### **16. APPROVAL CONDITION - Glazing panel specification**

The first and second floor windows serving the staircase within the north west elevation of the building hereby approved shall be glazed in obscure glass and shall be none opening . The window as specified shall be installed before the development hereby permitted is first occupied and shall be permanently maintained in that form.

REASON:

To protect the privacy enjoyed by the occupiers of the adjoining property.

#### **17. APPROVAL CONDITION - Surface / foul water drainage [Pre-commencement Condition]**

No development approved by this permission shall commence until a scheme for the disposal of foul water and surface water drainage have been submitted to and approved in writing by the Local Planning Authority and no building shall be occupied unless and until all drainage works have been carried out in accordance with such details as approved by the Local Planning Authority and subsequently implemented and maintained for use for the life of the development.

REASON:

To ensure satisfactory drainage provision for the area.

#### **18. APPROVAL CONDITION - Noise Report**

Unless otherwise agreed in writing by the Local Planning Authority the development shall be carried out strictly in accordance with the findings of the Assessment of Noise from Rail and Road Traffic (ref - RD/0310/OH01 addendum to RD/0509/OH01) by R A Davis dated March 2010 (as amended).

REASON: To secure a satisfactory residential environment for future occupiers.

#### **19. Reason for Granting Permission**

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Overall the scheme is acceptable and the level of development proposed will not result in an adverse impact on the amenities enjoyed by surrounding occupiers or to the character and appearance of the area. On balance the residential environment for future occupiers is acceptable. The proposal is consistent with adopted local planning polices. A suitable balance has been achieved between securing

additional housing, parking, on-site amenity space and landscaping, whilst ensuring that existing residential amenity is protected. Other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004 Planning Permission should therefore be granted.

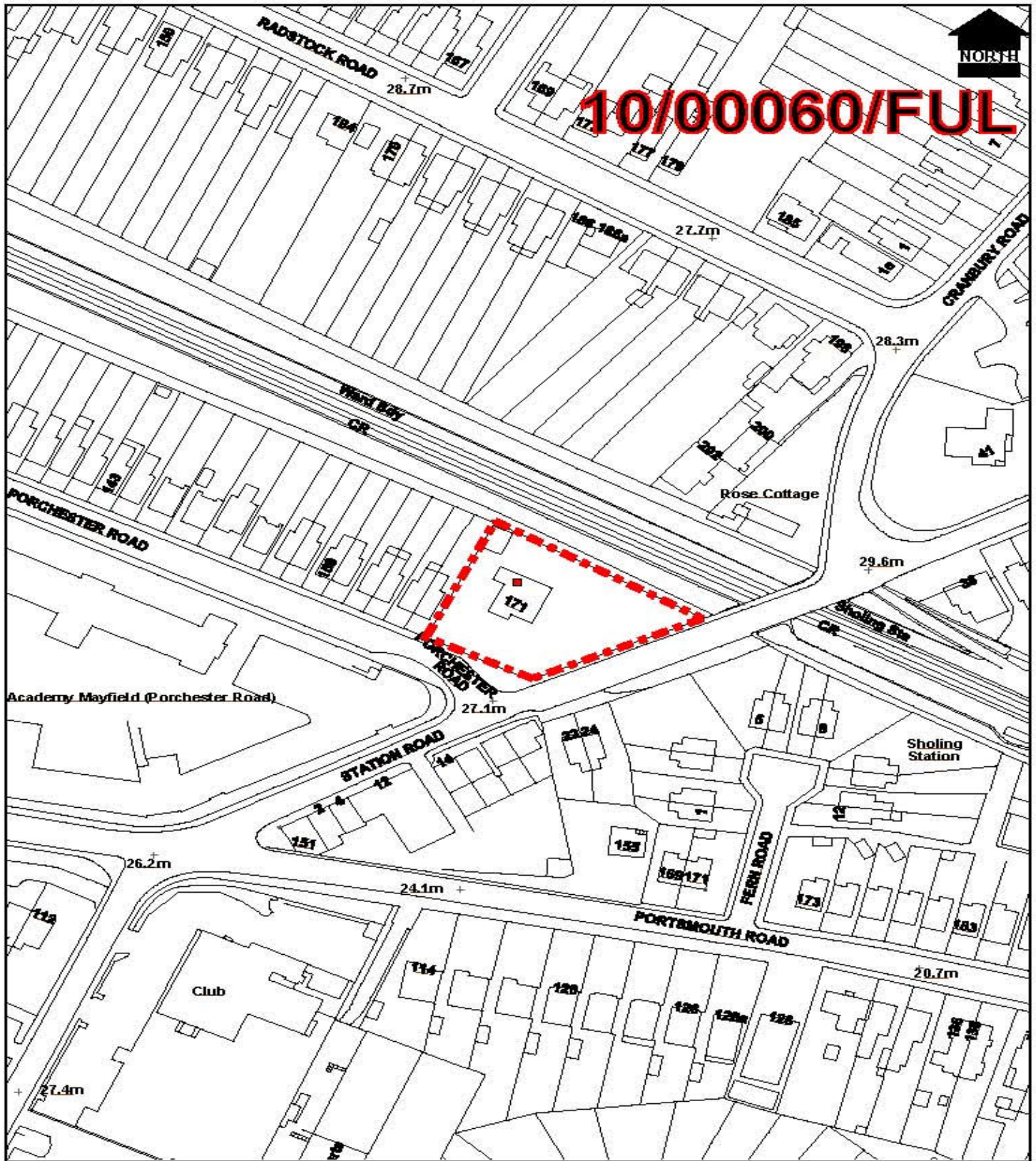
Policies CS3, CS4, CS5, CS13, CS15, CS16, CS19, CS20, CS22 and CS25 of the Local Development Framework Core Strategy (January 2010)

Saved Policies SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP12, SDP13, H1, H2 and H7 of the City of Southampton Local Plan Review (March 2006).

Note to Applicant:

01. Southern Water – Public Sewerage - Informative

A formal application for connection to the public sewerage is required in order to service this development. Please contact Southern Water's Network Development Team (Wastewater) based in Otterbourne or [www.southernwater.co.uk](http://www.southernwater.co.uk).



10/00060/FUL

Scale : 1:1250

Date : 30 March 2010

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