

Planning, Transport & Sustainability Division
Planning and Rights of Way Panel 13 May 2014
Planning Application Report of the Planning and Development Manager

Application address: 1 Beechmount Road, Southampton			
Proposed development: Erection of two x four-bedroom houses with integral garages (Use Class C3) arranged on three floors (top floor in roofspace) with associated bin/cycle storage and car parking spaces following demolition of existing house (Outline application seeking approval of access, appearance, layout and scale) (amended description).			
Application number	14/00253/OUT	Application type	OUT
Case officer	Andrew Gregory	Public speaking time	5 minutes
Last date for determination:	16.04.2014	Ward	Bassett
Reason for Panel Referral:	Request by Ward Member and five or more letters of objection have been received	Ward Councillors	Cllr Les Harris Cllr Beryl Harris Cllr John Hannides

Applicant: Mr M Holmes	Agent: Concept Design & Planning - Fao Mr Rob Wiles
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Recommendation Summary	Conditionally approve
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Community Infrastructure Levy Liable	Yes
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Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. 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. 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 as set out in the report to Planning Panel on 13 May 2014 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 SDP1, SDP4, SDP5, SDP6, SDP7, SDP9, H1, H2 and H7 of the City of Southampton Local Plan Review - Adopted March 2006 policies CS4, CS5, CS13, CS15, CS16, CS19, CS20 of the Local Development Framework Core Strategy (January 2010) and National Planning Guidance contained within the National Planning Policy Framework.

Appendix attached			
1	Development Plan Policies	2	Planning History
3	Appeal Decisions	4	Decision notices

Recommendation in Full

Conditionally approve

1.0 Background, site and context

- 1.1 This planning application was initially submitted as a semi-detached pair of six-bedroom dwellings arranged on three floors (top floor in roof space) with two car parking spaces to the front of each dwelling. The scheme has been amended and a public re-consultation exercise carried out following officer concerns regarding the parking demands of a six-bed dwelling and the level of hardstanding proposed to the front of the site to meet the travel demands of such development. The amended scheme reduces the number of bedrooms to four and incorporates integral garages to free up more space to the front for soft landscaping.
- 1.2 The application site comprises a detached two-storey house with a parking area to the front. The garden to the rear has been sub-divided and planning permission has been granted for a six-bed detached dwelling which is under construction. There are mature trees on or adjacent to the eastern boundary protected by the Southampton (Bassett Avenue and Beechmount Road) TPO 1962.
- 1.3 University halls occupy the site to the east and detached dwelling houses bound the site to the south and west. Three-storey flatted development occupies the neighbouring site to the west and Brampton Towers is located on the opposite side of Beechmount Road to the north. TRO Parking controls exist within Beechmount Road (permit holders or 2hr waiting between 8am-6pm).

2.0 Proposal

- 2.1 The proposal seeks to replace the existing detached house with a semi-detached pair of four-bedroom houses. The dwellings have integral garages and driveway parking to the front providing two parking spaces per dwelling. The dwellings are three-storey with the third floor contained in the roof space. Projecting bays and gables are located within the front elevation and rear elevations. Roof lights are also located within the front and rear roof slopes.
- 2.2 Each dwelling has a private rear garden 11m in length (as existing) containing bin and bike storage and enclosed with close boarded fencing. Soft landscaping is proposed to the front of the site.

3.0 Relevant Planning Policy

- 3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (March 2006) and the City of Southampton Core Strategy (January 2010). The most relevant policies to these proposals are set out at **Appendix 1**.
- 3.2 The site is unallocated on the proposals map of the Local Plan Review but adjoining a site safeguarded for student accommodation (Beechmount House). Although not within the boundary for the extant character appraisal from the Bassett Avenue Development control Brief (1982) – ratified by the RDG; the application site immediately abuts the boundary that that document relates to. Within the Parking Standards supplementary planning document, the application site is located within a zone of medium accessibility.

- 3.3 Developments are expected to meet high sustainable construction standards in accordance with Core Strategy Policy CS20 and Local Plan “saved” Policy SDP13.
- 3.4 The National Planning Policy Framework (NPPF) came into force on 27th March 2012 and replaces the previous set of national planning policy guidance notes and statements. The Council has reviewed the Core Strategy to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.

4.0 Relevant Planning History

- 4.1 The history of the site is attached as **Appendix 2**. In summary, planning permission was refused for a four-storey flatted block on this site in 2008 (SCC Ref 08/01081/FUL) and a subsequent appeal was dismissed. In 2009, a four-storey block was again refused on the site, as part of a larger development site which incorporated 134 Bassett Avenue (SCC Ref 09/01313/FUL, a subsequent appeal was again dismissed. The appeal decisions are attached as **Appendix 3**.
- 4.2 In 2012 planning permission was granted for a six-bedroom detached dwelling house to the rear of the existing property (SCC Ref 12/01933/FUL) which is currently under construction. In 2013 planning permission was refused for a three-storey building to provide 39 student flats on the site (SCC Ref 13/00298/FUL) and a three storey flatted development (Ref 13/00290/OUT); a copy of the decision notices are attached as **Appendix 4**.

5.0 Consultation Responses and Notification Representations

- 5.1 Following the receipt of the planning application a publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners and erecting a site notice (28.02.2014). Following the receipt of amended plans a further re-notification took place on 02.04.14. At the time of writing the report **7** representations have been received from surrounding residents. The following is a summary of the points raised:
- 5.2 The scale and density of the development is not in keeping with the character of the immediate area.
- Officer Response - The building is arranged over three floors with the top floor provided within the roof space. The building has an eaves height of 6m which is not significantly different to the traditional two-storey dwellings within the area. The building sits in isolation from the nearby two-storey dwellings and needs to be read in context with the surrounding mature trees, adjacent three-storey flatted blocks, student halls and the larger Brampton Towers; as such the proposed scale of development is not considered out of keeping. The 2008 appeal dismissal on this site indicated that whilst four-storey scale was excessive it referenced expert design opinion which suggested that three-storey scale may be appropriate on this site. The subsequent refusals for three-storey student accommodation (Ref 13/00298/FUL) and three storey flatted development (Ref 13/00290/OUT) in 2013 did not indicate that three-storey scale would be out of character and those schemes were not refused for that reason. The site density for a total of three dwelling houses (including the dwelling at the rear) amounts to 23 dwellings per hectare / has a density of 23 dwellings per hectare which is lower than the minimum density range for low accessibility areas of 35 dwellings per hectare, required under policy CS5 of the Core strategy. Therefore the level of density is considered acceptable.
- 5.3 The building has the appearance of the block that was refused for nine flats on this site.

Officer Response - The proposed design is materially different to the refused scheme for flats because the top floor is provided within the roof space and the scale, bulk and mass is reduced. The proposed design is suitable for a semi-detached pair as proposed

5.4 Overdevelopment of the plot

Officer Response - The amended scheme for a semi-detached pair of four-bed dwellings has a density of 23 dwellings per hectare and is not considered to represent overdevelopment.

5.5 There have been numerous applications on this site which is considered an outrageous assault on the planning system and not in the best interests of the community.

Officer Response - There is nothing to stop the applicant submitting multiple applications on this site providing each scheme is materially different to the last.

5.6 The development would lead to increased traffic on Beechmount Road which is a narrow road and intensification of use of this road may prejudice highway safety.

Officer Response - The previous appeal decision relating to eight flats with 14 car parking spaces was not dismissed for highway safety reasons. No objection has been raised by Highways Development Management following the removal of close boarded fencing from the sight line splay for drivers using the adjacent access. The highway impact from the proposed four car parking spaces will be negligible as they replace an existing dwelling with a large frontage parking area.

5.7 Insufficient car parking provision and increased demand for on-street parking spaces

Officer Response - The provision of two spaces per dwelling accords with the Council's maximum car parking standards. The maximum allowed would be three spaces per dwelling. The 2008 appeal decision indicated that any parking overspill from a reduced level of parking provision may lead to an increased completion for on-street parking, but did not consider the problem so serious as to justify refusal on this basis.

5.8 Noise nuisance from increased residential development on the site.

Officer Response - There is considerable separation distance between the proposed semi-detached pair and existing housing. It would not be possible to demonstrate harm to substantiate refusal on this basis. Statutory noise nuisance is tackled under Environmental Health legislation.

5.9 Impact on wildlife refuge between Beechmount Road and Chetwynd Road.

Officer Response - The development is proposed on the existing building footprint and does not encroach into the adjacent tree belt.

Consultation Responses

5.10 **SCC Highways** - No objection subject to conditions to ensure that no means of enclosure above 600mm is erected within the sight line splay, the provision of two x 2m pedestrian sightlines and the submission of details to prevent obstruction of the highway during construction works.

5.11 **SCC Archaeology** – There are no archaeological issues with this application.

5.12 **SCC Sustainability Team** – Conditions recommended to ensure the development meets level 4 of the Code for Sustainable Homes.

5.13 **SCC Environmental Health** – No objection subject to conditions to control hours of work and to prevent bonfires.

5.14 **CIL** - The development will become CIL liable at reserved matters stage. The charge will be levied at £70 per sq m on the Gross Internal Area of the new

development. If any existing floorspace is to be used as deductible floorspace the applicant will need to demonstrate that continuous lawful use of the building has occurred for a continuous period of at least six months within the period of three years ending on the day that planning permission first permits the chargeable development.

- 5.15 **Southern Water** – Attach informative regarding connection to the public sewer.
- 5.16 **East Bassett Resident's Association** - Providing there is no departure from the plans now shown, the Association has no further objections to the present application based on four bedroom semis with integral garages.
- 5.17 **Trees** – At the time of writing this report no comments had been received from SCC Tree Team and an update will be provided at the Panel meeting
Officer Response - The development does not encroach into the canopy spread or root protection areas of the protected tree belt to the east and tree safeguarding conditions can be added

6.0 Planning Consideration Key Issues

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

- Principle of development;
- Design, layout and impact on established character;
- Impact on residential amenity;
- Residential Standards;
- Highway Issues

6.2 Principle of Development

6.3 The development of this site with a semi-detached pair of four-bedroom family dwellings is acceptable in principle and accords with the policies within the development and central government's guidance (through the National Planning Policy Framework) to promote sustainable and efficient use of land for housing development providing the character of an area is not compromised. The development does not encroach into the rear garden and therefore does not result in the loss of garden land.

6.4 The level of development of 23 dwellings per hectare (dph) is actually below the minimum density level of 35dph as advised by policy CS5 of the Core Strategy. However this low density is acceptable having regard to the spatial character of the area. The provision of genuine family housing is welcomed and the proposed residential mix fulfils the requirements of policy CS16 of the Core Strategy whilst assisting the Council meeting its housing need. Furthermore the scheme is materially different to previous refusals for three and four-storey flatted development on this site in terms of design, scale, density, neighbouring impact and highway impact.

6.5 Design, layout and impact on established character

6.6 The proposed design and layout of the development is not considered adversely harmful to the character and appearance of the area. The surrounding area comprises two-storey housing and larger flatted development and the development will not be harmful to the Beechmount Road street scene when read against the neighbouring three-storey buildings and having regard to the building set-back from the road frontage and mature trees to the side. The third storey is contained within a pitched roof and the resultant eaves height will not be significantly greater than the existing two-storey building on the plot. The revised layout allows for an improved amount of soft landscaping to the front of the site which is important having regard to the verdant character of the area. The

resultant plot sizes are smaller than neighbouring houses within the area but due to mature screening will not be noticeable. However on balance this is considered acceptable having regard to housing need, the low density of the development and because the proposed rear garden depths of 11m satisfy the minimum garden sizes within the Residential Design Guide SPG.

6.7 Impact on Residential Amenity

6.8 The residential amenities of nearby residents will not be adversely harmed. The proposed development will not give rise to harmful sense of enclosure, loss of light, shadowing or overlooking / loss of privacy, having regard to the building separation distances (of approx 30m) and position and scale of the existing dwelling on site. The third floor windows will have a typical rear aspect down the rear garden and across the roof slope of the dwelling under construction to the rear. The proposed building will not lead to harmful enclosure to neighbouring gardens because it does not project any deeper than the existing building and will only lead to a degree of increased enclosure to the car parking area to the south of the neighbouring flatted development at 136 Bassett Avenue.

6.9 Residential Standards

6.10 All new residential development is expected to provide prospective residents with a good living environment. The internal layout is compatible with modern living standards. All habitable rooms, including the bedrooms within the roof, will receive outlook, ventilation and day lighting. The development provides 11m length rear gardens which is acceptable and satisfies the Councils minimum standards as set out within the Residential Design Guide SPD. The garden depth was also considered acceptable when the Council approved the plot subdivision to create a dwelling to the rear.

6.11 Highway Issues

6.12 The application site is within an area, which is defined as a “medium” accessibility zone. The level of parking provision proposed needs to be assessed against the parking standards set out in the adopted Local Plan and Parking Standards SPD, which are maximums. Therefore careful consideration needs to be made of the implications of the proposed number of spaces. The scheme proposes two spaces per dwelling which accords with the Councils maximum standards. The level of parking provision and access arrangement will not prejudice highway safety. Bin and bicycle storage will be secured by condition.

7.0 Summary

7.1 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. The proposed layout and density provides an acceptable residential environment for future occupiers. The proposal is consistent with adopted local planning policies and the National Planning Policy Framework. A suitable balance has been achieved between securing additional family housing, parking, on-site amenity space and landscaping, whilst ensuring that existing residential amenity is protected. The development will not lead to harmful levels of traffic, congestion or overspill parking within Beechmount Road having regard to the Council’s maximum car parking standards. Furthermore significant weight is given to the merits of housing delivery on this site.

8.0 Conclusion

8.1 It is recommended that planning permission be granted subject to conditions.

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1(a), 1(b), 1(c), 1(d), 2(b), 2(d), 4(f), 4(g), 4(vv), 6(a), 6(c), 7(a), 8(a), 9(a), 9(b).

AG for 13/5/14 PROW Panel

PLANNING CONDITIONS

01. APPROVAL CONDITION - Outline Permission Timing Condition

Outline Planning Permission for the principle of the development proposed and the following matters sought for consideration, namely the layout of buildings and other external ancillary areas, the means of access (vehicular and pedestrian) into the site and the buildings, the appearance and design of the structure, the scale, massing and bulk of the structure is approved subject to the following:

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

Reason:

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

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

Notwithstanding the information shown on the approved drawings and application form no development works shall be carried out unless and until a written schedule of external materials and finishes has been submitted to and approved in writing by the Local Planning Authority. Development shall be implemented only in accordance with the agreed details. These shall include full details of the manufacturers, types and colours of the external materials to be used for external walls, windows, doors and the roof of the proposed buildings. It is the Local Planning Authority's practice to review all such materials on site. The developer should have regard to the context of the site in terms of surrounding building materials and should be able to demonstrate why such materials have been chosen and why alternatives were discounted. If necessary this should include presenting alternatives on site.

Reason:

To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality.

03. APPROVAL CONDITION - Bonfires [Performance Condition]

No bonfires are to be allowed on site during the period of demolition, clearance and construction.

Reason:

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

04. 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.

05. 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).

06. 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).

07. APPROVAL CONDITION - Boundary fence [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

08. APPROVAL CONDITION - Residential - Permitted Development Restriction
[Permanent 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 E (curtilage structures), including a garage, shed, greenhouse, etc.,
Class F (hard surface area)
Class G (heating fuel store)

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.

09. APPROVAL CONDITION - No other windows or doors other than approved
[Permanent 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 windows, doors or other openings including roof windows or dormer windows other than those expressly authorised by this permission shall be inserted in the development hereby permitted without the prior written consent of the Local Planning Authority.

Reason:

To protect the amenities of the adjoining residential properties

10. APPROVAL CONDITION - Material Storage (Pre-Commencement Condition)

No work shall be carried out on site unless and until provision is available within the site, in accordance with details to be submitted to and approved in writing by the Local Planning Authority, for all temporary contractors buildings, plant and stacks of materials and equipment associated with the development and such provision shall be retained for these purposes throughout the period of work on the site. At no time shall any material or equipment be stored or operated from the public highway.

Reason:

To avoid undue congestion on the site and consequent obstruction to access.

11. APPROVAL CONDITION - Sight Lines

The sight lines shown on the approved drawing shall be provided before the use of any building hereby approved commences, and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 no fences, walls or other means of enclosure, including hedges and shrubs, or other structures shall be erected above a height of 600mm; above carriageway level within the sight line splay.

Reason:

In the interests of highway safety.

12. APPROVAL CONDITION - Garages and parking spaces to be retained for vehicle parking

The garages and parking spaces shown on the approved plans shall only be used in connection with the dwelling units hereby approved and for no other purpose unless otherwise agreed in writing by the Local Planning Authority. The garages shall not be converted into residential accommodation.

Reason:

To ensure adequate on-site car parking provision for the approved dwelling units remains available for that purpose and to prevent parking on the adjoining highway.

13. APPROVAL CONDITION - Tree Retention and Safeguarding [Pre-Commencement Condition]

All trees to be retained pursuant to any other condition of this decision notice shall be fully safeguarded during the course of all site works including preparation, demolition, excavation, construction and building operations. No operation in connection with the development hereby permitted shall commence on site until the tree protection as agreed by the Local Planning Authority has been erected. Details of the specification and position of all protective fencing shall be indicated on a site plan and agreed with the Local Planning Authority in writing before any site works commence. The fencing shall be maintained in the agreed position until the building works are completed, or until such other time that may be agreed in writing by the Local Planning Authority following which it shall be removed from the site.

Reason:

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

14. APPROVAL CONDITION - no storage under tree canopy [Performance Condition]

No storage of goods including building materials, machinery and soil, shall take place underneath the crown spread of the trees to be retained on the site. There will be no change in soil levels or routing of services through tree protection zones or within canopy spreads, whichever is greater. There will be no fires on site. There will be no discharge of chemical substances including petrol, diesel and cement mixings within the tree protection zones or within canopy spreads, whichever is greater.

Reason:

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

15. APPROVAL CONDITION - Refuse and Recycling Bin Storage - [Pre Occupation Condition]

Bin storage shall be laid out with a level approach prior to the first occupation of the development hereby approved in accordance with the approved plans. The facilities shall include accommodation for the separation of waste to enable recycling. The approved refuse and recycling storage shall be retained whilst the development is used for residential purposes.

Reason:

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

16. APPROVAL CONDITION - Bike Storage

The building shall not be occupied in full or in part until secure, covered space has been laid out within the site for a minimum of one bicycle per dwelling to be stored for the benefit

of the occupants in accordance with the approved plans. The cycle storage hereby approved shall thereafter be retained on site for that purpose.

Reason:

To encourage cycling as a sustainable form of transport.

17. 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.

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.

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.