

Southampton City Planning & Sustainability  
 Planning and Rights of Way Panel meeting 22<sup>nd</sup> June 2010  
 Planning Application Report of the Head of Division

Application address	51 High Road		
Proposed development:	Erection of a part 3-storey, part 2-storey building to provide 3 x 3-bed and 2 x 2-bed flats with associated parking and refuse/cycle storage following demolition of existing building. Outline application seeking consideration of access, appearance, layout and scale only (details of landscaping to be reserved) (Departure From Local Plan).		
Application number	10/ 00181/OUT	Application type	Full Detailed
Case officer	Bryony Giles	Application category	Q13 - Minor Dwellings

Recommendation Summary	Delegate to the Head of Planning & Sustainability to conditionally approve subject to no additional or adversary consultation comments being received in relation to the proposal.
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Reason for Panel consideration	Departure from the Development Plan.
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Applicant: Mr Richard Mandair	Agent: Concept Design & Planning LLP
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Date of receipt	25.02.2010	City Ward	Swaythling
Date of registration	25.02.2010	Ward members	Cllr Odgers
Publicity expiry date	24.06.2010 (re -advertised)		Cllr Osmond
Date to determine by	22.04.2010 <b>OUT OF TIME</b>		Cllr Turner

Site area	600sq.m (0.06 ha)	Usable amenity area	shown: 152m2
Site coverage (developed area)		Landscaped areas	shown: 51m2
Density - whole site	83 d.p.h		

Residential mix	nos	size sqm	Other land uses	class	size sqm
Studio / 1-bedroom	-	-	Commercial use	-	-
2-bedroom	2	55 sqm – 58 sqm	Retail use	-	-
3-bedroom	3	79 sqm - 58sqm	Leisure use	-	-
other	N/A	-	other	-	-
Policy designation	REI 6 (Local Centres)				

Accessibility zone	Medium (Band 3)	Policy parking max	4 spaces
Parking Permit Zone	no	existing site parking	8-10 spaces
Cyclist facilities	no	car parking provision	5 spaces
motor & bicycles	-	disabled parking	0 spaces

Key submitted documents supporting application			
1	Design and Access Statement		
Appendix attached			
1	Relevant Planning Policy	2	Justification report into the loss of Class A use within Swaythling Local Centre

## **Recommendation in full**

Delegate to the Head of Planning & Sustainability to conditionally approve subject to no additional or adversary consultation comments being received in relation to the proposal.

## **Background**

The application is referred to panel as it represents a departure from the Local Plan Review (March 2006). The site forms part of the Swaythling Local Centre as defined under policy REI 6 of the adopted local plan.

## **Site and surroundings**

The application site relates to an existing two storey end of terraced building located on the edge of the Swaythling district centre. The property is currently occupied by a restaurant, with residential accommodation above. To the north, the property is bounded by residential dwellings.

To the west (rear of the site) there is a single storey workshop which has been in use for light industrial purposes since the early 1950's. The workshop is accessed via a narrow access road adjacent to 344 Burgess Road. Beyond the workshop there are allotments.

To the north and east of the site is bounded by the defined Swaythling local centre containing a mixture of shops, café's and takeaways. The majority of premises have residential accommodation at first floor level.

The rear of the site is given entirely over to hard standing which is currently used as a car park for both staff and patron's of the restaurant. The parking area is not formalised and approximately 8 - 10 cars can park within the space at any one time. The parking area is accessed from High Road.

Located within a medium accessibility area, the property is within a short walking distance from regular bus routes that run both into and out of the city, and Riverside Park.

## **Proposal**

Planning permission is sought for the erection of a part 3-storey, part 2-storey building to provide 3 x 3 bed and 2 x 2 bed flats with associated parking and refuse/cycle storage following demolition of existing building. The application submitted is an outline application seeking consideration of access, appearance, layout and scale. Landscaping details are to be reserved.

The proposal yields a residential density of 83 dwellings per hectare. The footprint of the proposed building occupies 26% of the site with the 74% remaining available for parking and private amenity areas. The footprint of the existing building currently occupies 20% of the site.

The two storey building with accommodation in the roof space will be formed of facing brick with slate roof tiles. The front elevation is well articulated with a double bay frontage. Its key design features and the proportions of the building mimic the existing style of residential houses within the High Road street scene.

All of the proposed dwellings will have access to private amenity space. The proposed ground floor 3 bed unit has direct access to a private amenity area of 24m<sup>2</sup> in accordance with the defined definition of a family home, and in line with amenity space standards. All other flats are provided with their own area of private amenity space, which will be

sectioned off with a low boundary treatment and can be directly accessed within the curtilage of the building.

Five car parking spaces are provided to the rear of the site. As is a purpose built refuse store.

The site's frontage is to be landscaped and a low boundary wall reinstated to provide a defensible space between the highway and front bedrooms/living room windows.

The proposal to redevelop the site for solely residential use would be contrary to the adopted development plan, namely Policy CS3 of the Core Strategy and Policy REI6 of the Local Plan Review.

## **Relevant Planning Policy**

### LDF Core Strategy - Planning Southampton to 2026

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 and the "saved" policies from the Local Plan Review are set out at **Appendix 1**. In particular, the adopted LDF Core Strategy Policy CS13 (Fundamentals of Design), as supported by Local Plan Policy SDP1 (i), is relevant in the determination of this application, as are policies CS5 of the adopted Core Strategy and saved policy REI 6 of the adopted Local Plan Review.

Policy SDP1(i) requires planning permission to only be granted for development which does not unacceptably affect the health, safety and amenity of the city and its citizens.

Policy CS13 (11) expands on this requiring urban form and scale to be considered and advocates the need to make higher densities work, being of an appropriate scale, massing and appearance.

Policy CS5 advocates that intensification and higher densities will be appropriate in some areas of the city in order to make best use of land, to support a range of local services and infrastructure and to create a residential environment with a mix of housing including smaller units and affordable housing. At all densities, residential development should be high quality, energy efficient and in line with best practice in sustainability and should maximise outdoor space, for example by providing gardens, roof terraces or balconies.

Policy REI 6 refers to the city's defined local centres and seeks to retain their role in serving the daily needs of the local population.

### Sustainability Implications

Developments are expected to meet high sustainable construction standards in accordance with the Development Plan for Southampton. The design and access statement with the application states that while the proposal will meet Code for Sustainable Homes Level 3 in relation to water consumption, the new building will only meet the equivalent of Level 1 Carbon Emissions for the Code of Sustainable homes. In accordance with policy CS20, any new development of unit and above is required to meet Level 3 of the Code for Sustainable Homes and provide a 20% reduction in CO2 through renewable or low carbon sources.

On this basis, the Council's sustainability team have raised an objection to the application but agreed that subject to the developer agreeing to the imposition of conditions requiring the development to meet Code for Sustainable Homes Level 3 and provide a 20% reduction in CO2 through renewable energy or low carbon sources the reasons for this objection would have been overcome.

The applicant has confirmed this is an acceptable approach.

### **Relevant Planning History**

Originally a shop with residential accommodation above, the ground floor of the property received planning permission in 1973 for a change of use to restaurant seating 28 people. In 1983, the shop frontage was infilled resulting in a rendered front wall with single entrance. Its current appearance is unchanged.

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

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 and erecting a site notice.

Given the need to re-advertise the application as a departure from the local plan the overall consultation period does not expire until 24.06.2010. However, at the time of writing the report 1 objection had been received from neighbouring residents.

Planning related comments can be summarised as follows:

**The terrace was built as a row of shops and should remain so.**

#### Response

See planning considerations below.

**The property will extend further up the garden and in some cases be closer to 55 High Road resulting in loss of light to habitable rooms and in the garden.**

#### Response

See planning considerations below.

**There is concern with regard to the making good of the exposed walls and chimneys of 55 High Road.**

#### Response

Should planning permission be granted, the developer will be required to enter into a party wall agreement with 55 High Road to ensure that there will be no damage to neighbouring dwellings or that adverse structural implications occur as a result of the development. Liability is with the developer.

**There is a right of way which runs between 49 and 51 High Road to the back cut which links to Burgess Road. If residents' cars are moving in and out of here, this will be very dangerous.**

#### Response

There are no council records that indicate this is a public right of way. The site is privately owned and as such, if others do have a right of way over this land their rights for it to be maintained as such must be considered under civil law. It is not a material planning consideration.

## Summary of Consultation comments

### **SCC Planning Policy**

The proposal to redevelop the site for solely residential use would be contrary to the Development Plan, namely Policy CS 3 of the Core Strategy and Policy REI 6 of the Local Plan Review. It is recognised that occupancy levels within the centre are historically low.

The site's position on the edge of the centre would not harm the defined local centre if developed solely for residential purposes and the proposed design would be an improvement on the existing situation. No objection is raised.

### **SCC Highways**

In order to comply with Highway Safety standards it has been necessary for the design of the building to be revised. The width of the building has been reduced by 0.8m to enable a 3.1m access to be provided allowing a designated footpath adjacent to the vehicular access. A 6m x 4.5m entrance to the driveway is also provided to ensure that cars are able to pass one another if entering and leaving at the same time.

The revised plans reinstate the front boundary wall and provide a front garden while providing appropriate visibility splays to the front to the site.

There is no objection to the application on highways grounds.

### **SCC Sustainability**

The Council's sustainability team have raised an objection to the application but agreed that subject to the developer agreeing to the imposition of conditions requiring the development to meet Code for Sustainable Homes Level 3 and provide a 20% reduction in CO2 through renewable energy or low carbon sources the reasons for this objection would have been overcome.

### **SCC Environmental Health (Pollution & Safety)**

No objection raised subject to controlling the hours of construction on site, soundproofing, a waste management plan containing full details of measures to reduce the wastage of materials and promote the recycling of materials during the construction process is submitted and bonfires are prohibited on site.

### **SCC Ecologist**

No objection.

### **Southern Water**

No objections raised subject to the imposition of conditions requiring the developer to submit details relating to the protection of the public sewers, details of foul sewerage disposal and means of surface water disposal.

### **Planning Consideration Key Issues**

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

- i. The principle of development;
- ii. Design, density & impact on established character;
- iii. Residential amenity;
- iv. Highways and parking;

### **The Principle of Development**

The site is part of a defined local shopping centre. Whereas no customer service based use has been proposed for the ground floor of the new building, it is recognised that there are a number of vacant units within local centre and that recent trends have moved away from the area being used as a local shopping centre in favour of an increased number of takeaways and café uses.

Within the Swaythling local centre occupancy of shop units has been historically lower than city wide averages, even before the recession. The location of the application site directly adjacent to the boundary of the centre would continue to provide a natural break between the commercial and residential elements of this part of Swaythling local centre and thus would ensure the centre continues to be clearly defined. Due to vacant units being present within the Swaythling local centre the opportunity for new business to locate here, should the wish to do so, is available.

This technical failure to meet policy CS3 of the Core Strategy and REI 6 of the Local Plan Review is therefore not considered to justify a refusal. Also, policy CS3 does not contain any specific prohibition of non-retail uses at ground floor level but rather focuses on how proposals would affect the vitality and viability of the defined local centre as a whole.

The loss of a restaurant within the centre will not result in the loss of a shop, which now has no display window, and facilities for 'day to day' needs of the local people as referred to in Policy CS3 paragraph 4.5.7 of the adopted Core Strategy.

As such, it is judged that the principle of redeveloping the site solely for residential use would not adversely harm the function of the local centre or detract from its character.

### **Density, design & impact on established character**

The development meets the prescribed density levels as set out in policy CS5 of the adopted Core Strategy.

In design terms, the application site currently represents a poor relationship with High Road. The use of brick on what might otherwise be a glazed shop front does not allow pedestrians to observe any activity within the premises to the same degree as what one might expect within a restaurant in a local centre. This is not the case for other premises within the local centre.

The design of the building picks up on the key features of neighbouring residential dwellings 47-49 High Road. The proposed building height sits at a slightly lower level than 47-49 High Road to provide a transition between 55 and 49 High Road, while better mimicking the heights of property 45 High Road onwards. Sash style windows are proposed to match those of neighbouring dwellings.

The development has been designed to address High Road with access to a ground floor flat providing and active frontage to the scheme. Sufficient measures have been taken to ensure that entrances are safe and well surveilled.

A landscaped front garden, with low boundary wall is proposed to the front of the site to provide a defensible space between ground floor habitable rooms on the front elevation

and the highway. Its design is in keeping with the character of neighbouring residential dwellings.

To the rear, the development is formed of part single, part two and part three storey building heights. The building is stepped in form to keep the overall bulk of the building to a minimum and its mass stepped away from the boundaries with the neighbouring dwellings.

At a depth of 11.5m, the two storey element of the extension is stepped away from the boundary with 55 High Road by 2m as it projects past the rear build line of the property and continues for a depth of approximately 3m.

The single storey extension which forms the remainder of the depth of the building on its northern side, when taken from the ground level of the neighbouring building, has a 2m height to eaves with a hipped roof that pitches away from the boundary. As such, its height to eaves is no greater than the maximum height of a boundary fence allowed under permitted development regulations. The relatively low height and position 2m away from the boundary with 55 High Road mitigates the impact of the proposal on the existing residential amenity of 55 High Road.

The existing access between 49 and 51 High Road has been retained to allow vehicular and pedestrian access to the rear of the site. The 3.1m gap retained between the proposed building and its southern boundary negates any adverse impact on neighbouring dwelling 49 High Road.

The building has been designed with no windows in its north elevation, and secondary (hallway) windows within its southern elevation. As a result, no overlooking or loss of privacy will occur.

Residential accommodation within the Swaythling area is made up of a range of unit sizes and accommodation types. With the majority of properties having traditionally been family houses, some of these properties have now been converted into one and two bedroom accommodation. The houses that remain are either occupied by families, students or private rental properties. The site's close proximity to Southampton University means that there is a demand for a range of unit sizes within this area.

The mix of unit types within this development meets the criteria of policy CS16 of the adopted Core Strategy. The three bed unit on the ground floor is suitable for family occupancy and replaced the existing unit of accommodation that would be considered suitable for family occupation. All other 2 bed and 3 bed units have direct access to private and usable areas of amenity.

The units are all provided with sufficient light and outlook to create an appropriate residential environment for all.

All units have direct access to private and usable garden area that meets the minimum requirements of the residential design guide.

### **Residential Amenity**

The units are all provided with sufficient light and outlook to create an appropriate residential environment for all. The design and layout of the building ensures that privacy and outlook of neighbouring buildings is retained whilst a reduction in the number of cars parked within the rear of the site and reduced areas of hard standing will be an improvement to the rear street scene and improve the sustainable credentials of the site.

All units have direct access to private and usable garden area that exceeds the minimum requirements of the residential design guide.

Refuse and cycle storage is appropriately and conveniently designed into the proposal.

### **Highways and Parking**

The provision of five car parking spaces exceeds the council's maximum standard of 4 spaces for the proposed number of units within a medium accessibility area. However, the site can accommodate this number of units without compromising highway safety or the residential amenity standards of the scheme. Furthermore, there is little opportunity for on road car parking within the surrounding area and as such the amount of parking provided is considered appropriate.

The site provides a shared vehicular and pedestrian access adjacent to the southern boundary of the site. The width of the access and the provision of a passing point for vehicles to the front of the site complies with Highway Safety Standards.

### **Summary**

On balance, the loss of a commercial unit within the local centre, by reason of its siting on the edge of the local centre adjacent to existing residential dwellings, is not considered to be detrimental to the viability and vitality of the Swaythling local Centre.

The development is considered to successfully respond to the design features of the immediate area whilst protecting neighbouring residential amenity. The requirements of the recently adopted Core Strategy are met to provide an appropriate residential environment for future occupiers of the site and provide a mix of residential accommodation for the city.

The support for this application is not intended to convey that we would support similar application in this, or other centres, until such a time that the council has the chance to produce adequate assessments of identified centres, which would inform their future extent as part of the local development framework process.

### **Conclusion**

This application has been assessed as being acceptable to residential amenity and its local context. The application is recommended for conditional approval, subject to their being no further objections to the application.

### **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 (c), 2 (e), 4 (s), 5 (e), 6(c), 7 (a), 7(c), 7 (m), 7 (x), 7 (z), 8 (a), 9(a), 9 (b) and PPS4

**BG 09.06.10 for 22.06.10 PRow Panel**



## **Recommended Conditions - 10/00181/OUT**

### **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, and the landscaping (both hard, soft and including enclosure details) of the site is approved subject to the following:

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

Reason:

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

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

No development works shall be carried out unless and until a detailed schedule of materials and finishes including samples (if required by the LPA) 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. Details shall include all new glazing, panel tints, stained weatherboarding, drainage goods, and the ground surface treatments formed. Development shall be implemented only in accordance with the agreed details.

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 - Glazing - soundproofing from external traffic noise [Pre-Commencement Condition]**

Works pursuant to this permission shall not be commenced until a scheme for protecting the proposed flats and houses from traffic noise from High Road has been submitted to and approved by the local planning authority in writing. Unless otherwise agreed in writing, that scheme shall specify either:-

Outer pane of glass - 10mm

Air gap between panes - 12mm

Inner pane of glass - 6 mm

or, with secondary glazing with a -

Outer pane of glass - 6mm

Air gap between panes - 100mm

Inner pane of glass - 6.4 mm

There must be no trickle vents installed in any case. For ventilation purposes in all cases, provision of acoustically treated 'BBA' approved mechanically powered ventilation should be the preferred option. However, provision of acoustic trickle vents will be acceptable. Once approved, that glazing shall be installed before any of the flats are first occupied and thereafter retained at all times.

Reason:

In order to protect occupiers of the flats from traffic noise.

#### 04. APPROVAL CONDITION - Waste Management Plan [Pre-Occupation Condition]

A waste management plan containing full details of measures to reduce the wastage of materials and promote the recycling of materials during the construction process and in the subsequent use and operation of the development shall be submitted and agreed in writing with the Local Planning Authority prior to the first occupation of the development hereby granted consent. The plan will contain measures to promote the reuse, segregation and composting of wastes produced on site.

Reason:

To ensure that resource consumption is minimised and opportunities for recycling are maximised on site and to comply with policy SDP13 (viii) of the City of Southampton Local (2006).

#### 05. 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.

#### 06. APPROVAL CONDITION - Code for Sustainable Homes [Pre-Occupation Condition]

Written documentary evidence demonstrating that the development will achieve at minimum Level 3 of the Code for Sustainable Homes shall be submitted to the Local Planning Authority and verified in writing prior to the first occupation of the development hereby granted, unless an otherwise agreed timeframe is agreed in writing by the LPA. The evidence shall take the form of a post construction certificate as issued by a qualified Code For Sustainable Homes certification body.

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) – CSH has since replaced Eco Homes for new build developments.

07. APPROVAL CONDITION - Renewable Energy - Micro-Renewables (Pre-Commencement Condition)

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 20% reduction in CO2 emissions [as required in core strategy policy CS20] must be conducted. Plans for the incorporation of renewable energy technologies to the scale that will reduce the CO2 emissions of the development [as required in core strategy policy CS20] 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)

08. 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.

09. APPROVAL CONDITION - Public Sewer protection [Performance Condition]

The developer must advise the Local Planning Authority (in consultation with Southern Water) of the measures which will be undertaken to protect the public sewers, prior to the commencement of the development.

Reason:

In order to safeguard the public sewer.

10. Approval Condition - Details of refuse and cycle storage [Pre-Commencement condition]

Prior to the commencement of development full elevation details of the refuse and cycle storage hereby approved must be submitted to and approved by the local planning authority in writing. The development must be built in accordance with the agreed plans and thereafter retained for that purpose at all times.

Reason

To enable the local planning authority to retain control over the final appearance of these ancillary buildings.

#### 11. Approval Condition - Amenity Space [Performance Condition]

The amenity space hereby approved must be made available prior to the first occupation of the dwellings and thereafter retained for that purpose at all times.

##### Reason

To ensure appropriate provision of amenity space for future residents of the site in the interests of residential amenity

#### 12. 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.

#### 13. 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.

#### 14. 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.

#### **Reason for granting Planning Permission**

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. The site is part of a defined local centre. Whereas no retail use has been proposed for the ground floor of the new building, it is recognised that there are a number of vacant units within the local centre. The loss of a commercial unit on the application site is not considered harmful to the overall vitality and viability of the entire defined local centre. This technical failure to meet policy REI6 is therefore not considered to justify a refusal. Other material considerations including the design, impact on the residential amenity of neighbouring dwellings and highway safety issues have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Saved Policies - SDP1(i), SDP5, SDP7 (iv) (v), SDP9 (v) H2 (iii) (vii) and REI6 of the City of Southampton Local Plan Review (March 2006).  
CS5, CS13 (11) (12), CS15, CS16, CS19, CS20 of the adopted Core Strategy (January 2010).

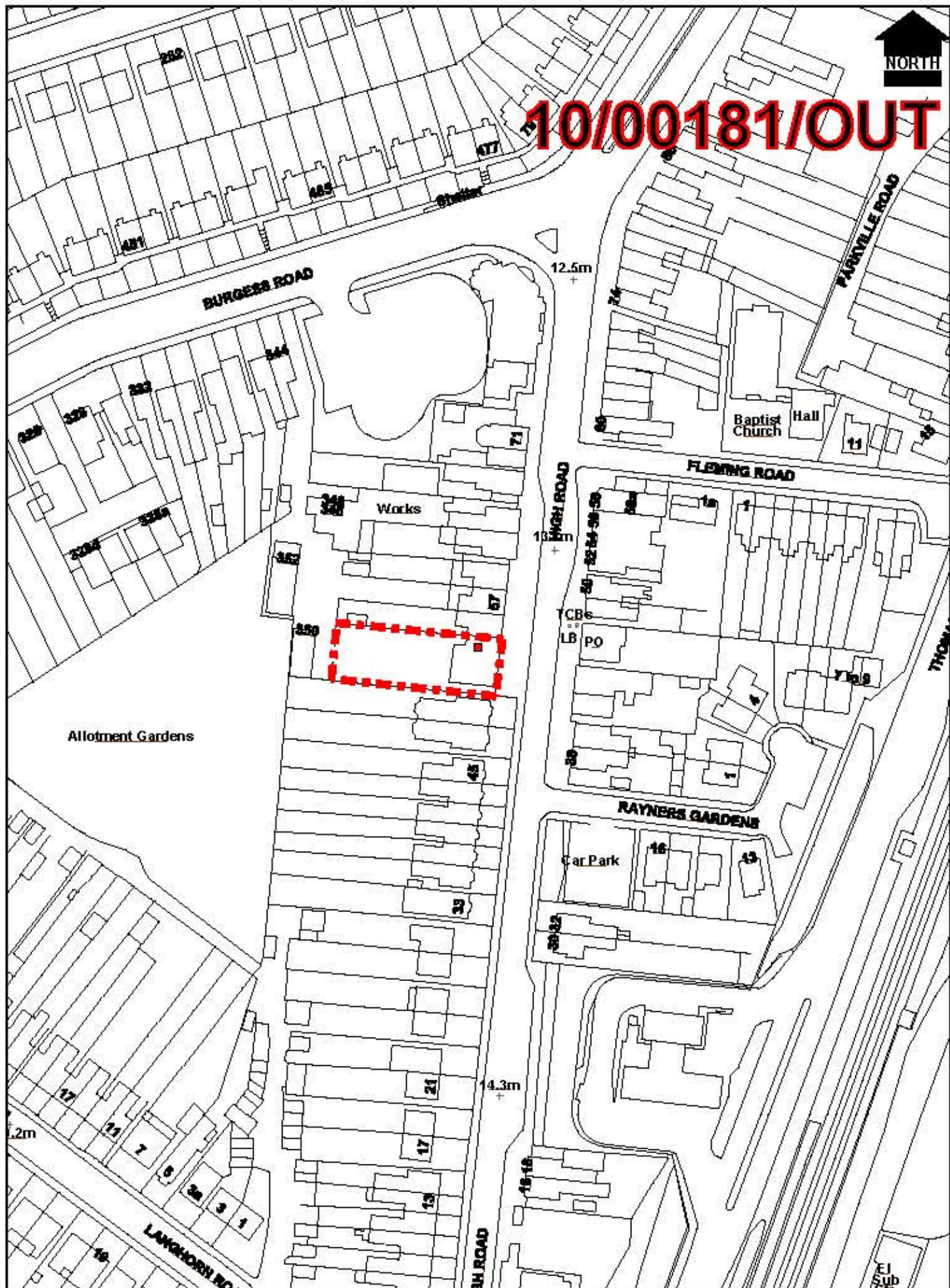
#### Notes to Applicant –

01. 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. It is important that you note that if development commences in without the condition having been formally discharged by the Council in writing, any development taking place will be unauthorised in planning terms, invalidating 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 Control Service.

02. A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for development please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, So23 9EH (01962 858688) or [southernwater.co.uk](http://southernwater.co.uk).



**10/00181/OUT**



Scale: 1:1250

Date: 09 June 2010

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