

Southampton City Planning & Sustainability  
 Planning and Rights of Way Panel meeting 20<sup>th</sup> July 2010  
 Planning Application Report of the Head of Division

<b>Application address:</b> Land to the rear of the Duchess of Wellington, Wolseley Road, Southampton			
<b>Proposed development:</b> Erection of two no. two bedroom semi-detached dwellings with associated cycle storage on land to the rear of 4 Wolseley Road			
Application number	10/00518/FUL	Application type	Q12 small scale major
Case officer	Jenna Turner	Public speaking time	5 minutes

<b>Applicant:</b> Drummond Construction Ltd	<b>Agent:</b> Tony Oldfield Architects
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<b>Recommendation Summary</b>	<b>Conditionally Approve</b>
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**Reason for Granting Permission**

Reason for Granting Outline Planning Permission

The development is acceptable taking into account the policies and proposals of the Development Plan and other guidance as set on the attached sheet. Other material considerations do not have sufficient weight to justify a refusal of the application. The provision of no on-site car parking is in accordance with policies and guidance which look to reduce travel by private car. The proposed dwellings would be in keeping with the surrounding area and would not have a harmful impact on residential amenity. Where appropriate planning conditions have been imposed to mitigate any harm identified. In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004, Outline Planning Permission should therefore be granted having account of the following planning policies:

“Saved” Policies – SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP11, SDP12, SDP13, H1, H2, and H7 of the City of Southampton Local Plan Review - Adopted March 2006 as supported by the adopted LDF Core Strategy (2010) policies CS4, CS5, CS13, CS19, and CS20 and the Council’s current adopted Supplementary Planning Guidance. National Planning Guidance contained within PPS1 (Delivering Sustainable Development), PPS3 (Housing 2010) and PPG13 (Transport) are also relevant to the determination of this planning application.

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

**Recommendation in Full**

That the application be approved subject to the suggested planning conditions

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

1.1 The application site comprises a parking area associated with the Duchess of Wellington Public House which is a two-storey detached building on the corner of Wolseley Road and Firgrove Road. The surrounding area is predominantly residential in character and typically comprises two-storey terraced and semi-detached properties. The application site lies within close proximity of Shirley Town Centre.

1.2 The car park has an open frontage to Firgrove Road and has a poor visual quality. The northern site boundary abuts the pub and its associated beer garden and beyond the western and southern boundaries are residential dwellings.

## **2. Proposal**

2.1 The application seeks planning permission to construct a pair of two-bedroom, semi-detached dwellings which would front Firgrove Road. A residential density of 83 dwellings per hectare would be achieved. The dwellings have a two-storey scale with the eaves and ridge heights reflecting that of the neighbouring residential properties. The dwellings have a traditional design appearance with pyramidal hipped roofs articulated by a central parapet. The elevations would be constructed of a red facing brick and would include stone lintels. The roofs are designed to catslide from two-storey to single-storey height at the rear with the first floor bathroom accommodation served by roof lights.

2.2 No on-site car parking would be provided. Purpose built cycle storage would be provided to the rear of the properties and 1.2 metre wide external access paths would be incorporated to the side of each dwelling. Storage for refuse and recycling would also be provided to the rear of the site. Each dwelling would be served by private rear gardens of 50sq.m in area and the frontage of the properties would incorporate soft landscaping and be bounded by a dwarf brick wall.

## **3.0 Relevant Planning Policy**

3.1 The Development Plan for Southampton currently comprises the South-East Plan: Regional Spatial Strategy (May 2009), 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 application site is not allocated in the current development plan. The Council’s usual requirements for achieving context-sensitive residential design as required by Core Strategy policy CS13 and policies SDP1, SDP7 and SDP9 of the Local Plan are applicable. Applications for new residential dwellings are expected to meet high sustainable construction standards in accordance with adopted Core Strategy Policy CS20 and Local Plan “saved” Policy SDP13.

## **4.0 Relevant Planning History**

There are no recent or relevant planning applications relating to this site or the immediate site context. The Duchess of Wellington is a historic public house use and hours of opening are not restricted by planning condition.

## **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 also undertaken which included notifying adjoining and nearby landowners, placing a press advertisement and erecting a site notice.

At the time of writing the report **5** representations have been received from surrounding residents including from the local ward Councillors Moulton and Ball. The following is a summary of the points raised:

**5.2 Firgrove Road has a high uptake of on-street car parking which reduces the width of the carriageway. The development would result in fly parking which would generate highway safety issues.**

Response

Firgrove Road does have a high level of on-street car parking; however, the application site lies within an area of high accessibility for public transport and is within close proximity of Shirley Town Centre. The provision of no on-site car parking is in accordance with accordance with policy CS19 of the Core Strategy and SDP5 of the Local Plan which look to reduce reliance on the private car. The existing public house would retain a vehicular access from Firgrove Road and still leave room on site for parking.

**5.3 The proposed dwellings would lead to harmful overlooking to properties across the street.**

Response

Whilst the Residential Design Guide Supplementary Planning Document includes privacy distances in relation to back-to-back relationships between properties, no equivalent privacy standards exist for front-to-front distances. This is because streets typically have dwellings facing each other over shorter distances and street fronting elevations do not have the same degree of privacy that is expected of rear elevations. The proposed dwellings would respect the existing building line in Firgrove Road and would have a relationship with the properties opposite which is typical of the rest of the street. It would also not be acceptable in design terms to have a street facing elevation which did not include habitable room windows.

**5.4 Loss of light to the neighbouring residential properties across the street.**

Response

The scale and massing of the proposed dwellings reflects that of the other properties within Firgrove Road and Wolseley Road. The 16 metre separation distance between the proposed development and the properties opposite would enable a good level of daylight to penetrate these properties.

**5.5 SCC Highways** – No objection. Suggests conditions to secure details of the site set up during the construction process and the provision of wheel cleaning facilities during construction.

**6.0 Planning Consideration Key Issues**

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

- i. Principle of development;
- ii. Design;
- iii. Residential amenity;
- iv. Residential Standards; and
- v. Highways and parking.

6.2 Principle of Development

6.2.1 The application site constitutes previously development land as defined by PPS3: Housing and lies within an area which is accessible by public transport and within easy reach of local shops and services. As such the introduction of two dwellings would accord

with local and national policy aims to make more efficient use of brownfield sites to provide additional housing and the residential density is appropriate for the area of High Accessibility to public transport. The provision of two small family houses is also welcome.

### 6.3 Design

6.3.1 The scale, design and layout of the proposed development are strongly informed by the character of the area. The proposal provides good legibility to the street by respecting the Firgrove Road building line and creating a balanced and well proportioned front elevation which respects the character of the area and maximises natural surveillance of the street. A key positive aspect of the scheme is the closure of the gap in the street that the existing car park creates which has a harmful visual impact and leaves the rear gardens of 4 to 16 Wolseley Road vulnerable to crime and anti-social behaviour.

6.3.2 The spacing between the properties and the boundaries and the relatively shallow depth of the proposed dwellings would ensure that the plot would not appear over-intensively development when viewed from neighbouring properties or the street. The establishment of traditional front and rear planted gardens would help to green the street and reinforce the character of Firgrove Road and the built form of the dwellings would occupy less than 50% of the plot size. Overall, the introduction of two well-designed dwellings in this location would have a positive impact on the street scene as required by the Core Strategy and Local Plan design policies and as supported by the Residential Design Guide.

### 6.4 Residential Amenity

6.4.1 There is just less than 10 metres separation between the two-storey massing of the development and the rear site boundary. The manner in which the two-storey roof cat-slides down to single storey scale at the rear ensures that the development will not have an over-bearing impact when viewed from the neighbouring gardens of 4 to 16 Wolseley Road. The application also proposes the introduction of landscape planting along the rear site boundary to soften the appearance of the development from neighbouring properties. The first floor windows to the rear of the dwelling serve bathrooms and a condition is suggested to ensure that cill height is no less than 1.7 metres from the internal floor level. As such the proposal will not introduce any harmful overlooking to the rear of the site. The dwellings would introduce additional over-shadowing of the neighbouring gardens within the morning but the majority of the garden areas would not be detrimentally affected for the greater part of the day.

6.4.2 As discussed in paragraphs 5.3 and 5.4 above, the relationship of the development with the existing properties within Firgrove Road is typical of this area and is not considered to introduce any harmful amenity impacts.

### 6.5 Residential Standards

6.4.3 The private rear gardens to serve the dwellings would be smaller than the Residential Design Guide suggests is appropriate. The main tests for the adequacy of amenity space is that (i) it should be fit for purpose and; (ii) should enable the development to spatially integrate into the surrounding context. The application proposes two modest sized dwellings and it is considered that the amenity space proposed relates to the size of the dwellings proposed but moreover, the space is directly accessible from these dwellings, is sufficiently private shape and orientation of the gardens would ensure that they would provide a genuine quality and useable space for residents. As discussed in paragraph 6.3.2 above, it is considered that the building to plot relationship proposed would be acceptable and that the site would not appear over-development within the street scene or when viewed from neighbouring properties.

## 6.5 Highways and Parking

6.5.1 The policies within the Core Strategy and the Local Plan seek to promote more sustainable forms of transport to the private car and the availability of car parking is highlighted as a key determinant of the mode of travel. As such the provision of no car parking is fully in accordance with the policy aims and intentions for sustainable patterns of development within accessible locations. Prospective residents of the development will be aware that the development does not have parking available on site and that there is no guarantee that parking will be available on-street. The site is within walking distance of shops and services within Shirley Town Centre and highly accessible by public transport and as such there is no reason to believe that the proposal will exacerbate on street parking pressures. The provision of no on-site car parking and the reinstatement of the kerb would also enable on-street car parking to be re-provided in front of the application site.

## 6.6 Sustainability

The application is accompanied by a Code for Sustainable Home pre-assessment report and a Sustainability Checklist. The submitted documentation demonstrates that the development can achieve Level 3 of the Code for Sustainable Homes and through low energy technologies achieve a 25% reduction in Carbon Dioxide emissions over standard building regulations requirements. This is compliant with policy CS20 of the Core Strategy and a condition is suggested to secure these measures.

## 7.0 Summary

7.1 The proposed development maximises the use of this brown-field site with dwellings of traditional appearance which positively reflect the character of the area. The development would have a positive effect on the street scene and the impact on the amenities of the neighbouring properties has been minimised by a sensitive design approach.

## 8.0 Conclusion

8.1 This application has been assessed as being acceptable to residential amenity and its local context. The application is recommended for conditional approval.

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

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

1(a), 1(b), 1(c), 2(c), 2(d), 2(e), 4(s), 6(a), 6(c), 6(d), 6(h), 6(g), 6(k), 7(a), 7(m), 7(v), 8(a), 9(a), 9(b) and PPS3 (2010)

**JT for 20.07.10 PROW Panel**

## **PLANNING CONDITIONS**

### **1. APPROVAL CONDITION - Full Permission Timing Condition - Physical works [Performance condition]**

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).

### **2. APPROVAL CONDITION - Details of building materials to be used [Pre-commencement condition]**

Notwithstanding the details shown on the approved drawings 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 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.

### **3. APPROVAL CONDITION - Landscaping Implementation [Performance condition]**

The hard and soft landscaping works shall be carried out in accordance with the plans hereby approved. The works shall be carried out before any of the development is occupied or in accordance with a timescale which has been agreed in writing with the local planning authority prior to the commencement of development.

REASON:

To ensure that the works are carried out as approved in the interests of the visual amenities of the area.

### **4. APPROVAL CONDITION - Landscaping Replacement [performance condition]**

If within a period of three years from the date of the planting of any tree or shrub, or any tree or shrub planted in replacement of it, it is removed, uprooted, destroyed, dies or becomes in any other way defective in the opinion of the local planning authority, another tree or shrub of the same species and size of that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

REASON:

To ensure that any trees or shrubs planted as part of the landscaping scheme are replaced in accordance with that scheme.

## **5. APPROVAL CONDITION - Refuse and Cycle Storage [performance condition]**

Bin and cycle 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 refuse facilities shall include accommodation for the separation of waste to enable recycling with doors hinged to open outwards. The approved storage shall be retained whilst the development is used for residential purposes, with bins kept in their allotted stores on non collection days.

### **REASON:**

In the interests of highway safety and visual amenity and to encourage recycling.

## **6. APPROVAL CONDITION - Amenity Space Access [Pre-Occupation Condition]**

The external amenity space serving the development hereby approved, and pedestrian access to it, shall be made available prior to the first occupation of residential flats hereby approved and shall be retained with access to it at all times for the use of the residents to this scheme.

### **REASON:**

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

## **7. APPROVAL CONDITION – Removal of Permitted Development Rights [Performance condition]**

Notwithstanding the provisions of Classes A-E of Schedule 2 (Part 1) to the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking or re-enacting that Order with or without modification), there shall be no extensions to the dwelling(s), no additional windows other than those hereby approved, nor the erection of any structures within the curtilage (other than those shown on the approved drawings listed above) unless otherwise agreed in writing by the Local Planning Authority upon submission of a planning application in that behalf.

### **REASON:**

To enable the Local Planning Authority to ensure that sufficient space is retained around the dwellings in the interests of neighbourliness and amenity.

## **8. APPROVAL CONDITION – Boundary Treatment [performance condition]**

Prior to the development first coming into occupation the boundary treatment shall be fully implemented in accordance with the plans hereby approved and thereafter retained as approved. The boundary treatment shall include the dwarf front boundary wall, rear close boarding fencing no less than 1.8 metres in height and 1.8 metre high lockable gates to the side access to the properties.

### **REASON**

To secure a satisfactory form of development

## **9 APPROVAL CONDITION – Treatment of roof lights [performance condition]**

The cill level of the roof lights to the rear roof slopes of the dwellings hereby approved shall be no less than 1.7 metres from the internal floor levels of the property.

### **REASON**

To prevent overlooking of the neighbouring properties.

## **10. APPROVAL CONDITION – Hours of work for Demolition / Construction**

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.

### **REASON:**

To protect the amenities of the occupiers of existing nearby residential properties living along Bevois Valley Road and Earl's Road.

## **11. 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.

## **12. APPROVAL CONDITION - Code for Sustainable Homes**

Written documentary evidence demonstrating that the development will achieve a minimum level 3 standard in the Code for Sustainable Homes (or equivalent ratings using an alternative recognised assessment method), shall be submitted to the Local Planning Authority and verified in writing prior to the first occupation of the development hereby granted consent unless otherwise agreed in writing by the Local Planning Authority. The development shall be completed in accordance with the agreed details and verified in writing for each unit prior to its first occupation.

### **REASON:**

To ensure the development minimises its overall demand for resources and to demonstrate compliance with policy SDP13 of the City of Southampton Local Plan (2006) as supported by Core Strategy Policy CS20.

## **13. 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 CO<sub>2</sub>



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 CO<sub>2</sub> 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 (excluding the demolition phase) 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).

**14. APPROVAL CONDITION - Use of uncontaminated soils and fill**

Clean, uncontaminated soil, subsoil, rock, aggregate, brick rubble, crushed concrete and ceramic shall only be permitted for infilling and landscaping on the site. Any such materials imported on to the site must be accompanied by documentation to validate their quality and be submitted to the Local Planning Authority for approval prior to the occupancy of the site.

**REASON:**

To ensure imported materials are suitable and do not introduce any land contamination risks onto the development.

**15. APPROVAL CONDITION - Unsuspected Contamination**

The site shall be monitored for evidence of unsuspected contamination throughout construction. If potential contamination is encountered that has not previously been identified no further development shall be carried out unless otherwise agreed in writing by the Local Planning Authority. Works shall not recommence until an assessment of the risks presented by the contamination has been undertaken and the details of the findings and any remedial actions has been submitted to and approved by the Local Planning Authority. Any changes to the agreed remediation actions will require the express written consent of the Local Planning Authority.

**REASON:**

To ensure any land contamination not previously identified is assessed and remediated so as not to present any significant risks to human health or, the wider environment

**Notes to Applicant**

**Note to Applicant – Pre-Commencement Conditions**

Your attention is drawn to the pre-commencement conditions above which require the full terms of the condition to be satisfied before development commences. In order to discharge these conditions you are advised that a formal application for condition discharge is required. You should allow approximately 8 weeks, following validation, for a decision to be made on such an application. 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.

**Note to Applicant – Performance Conditions**

Your attention is drawn to the performance conditions above which relate to the development approved in perpetuity. Such conditions are designed to run for the whole life of the development and are therefore not suitable to be sought for discharge. If you are in any doubt please contact the Council's Development Control Service.

**POLICY CONTEXT**

Core Strategy - (January 2010)

CS13	Fundamentals of Design
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change

City of Southampton Local Plan Review – (March 2006)

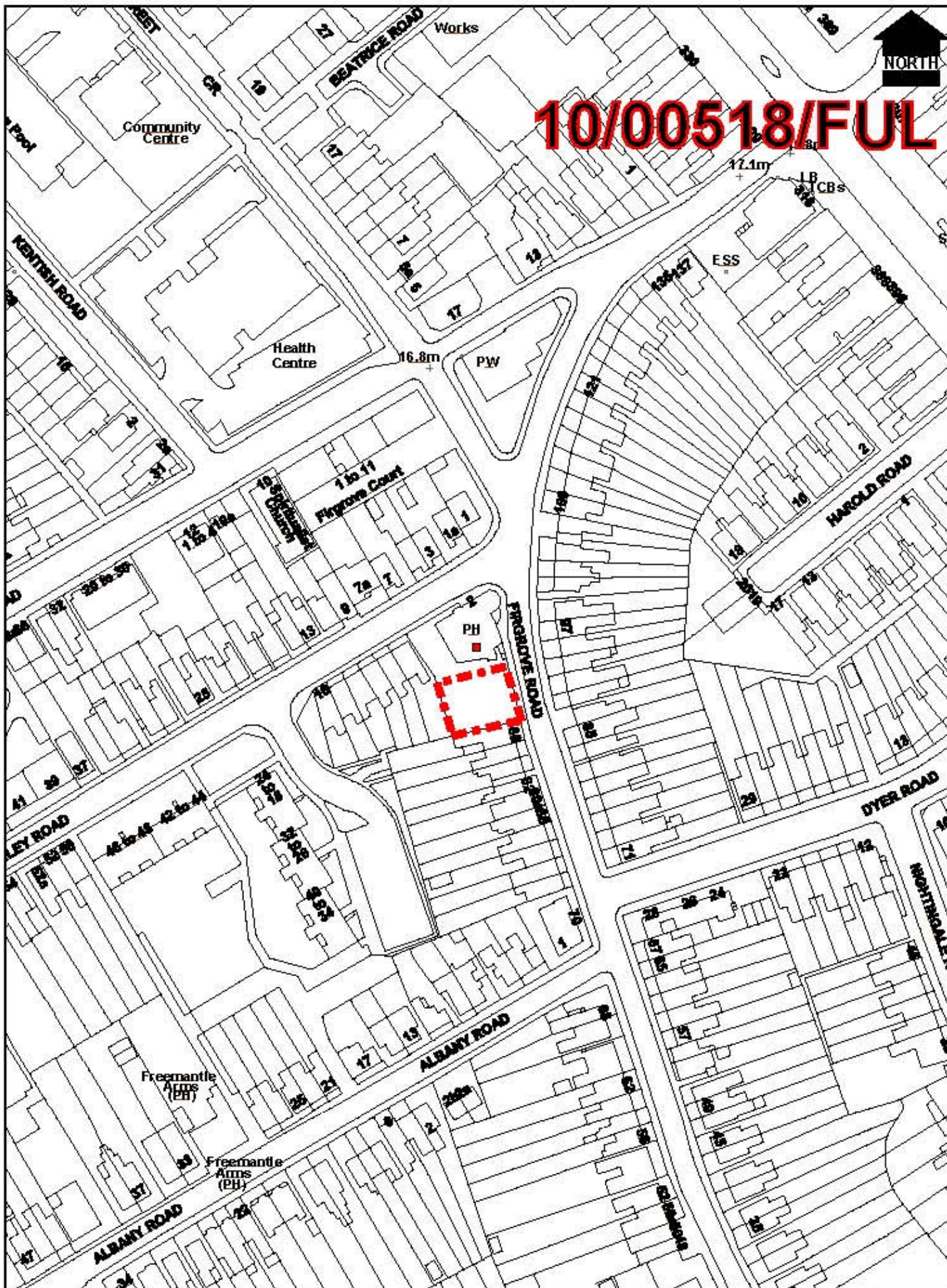
SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP7	Urban Design Context
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP12	Landscape & Biodiversity
SDP13	Resource Conservation

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)

Other Relevant Guidance

PPS1	Delivering Sustainable Development (2004)
PPS3	Housing (2010)
PPG13	Transport (2001)



**10/00518/FUL**

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