

Planning, Transport & Sustainability Division
Planning and Rights of Way Panel 13th September 2016
Planning Application Report of the Planning and Development Manager

Application address: 216-220 Spring Road			
Proposed development: Erection of 4 x 3-bed houses (2 x detached, 2 x semi-detached) with associated parking and cycle/refuse storage			
Application number	16/00763/FUL	Application type	FUL
Case officer	Stuart Brooks	Public speaking time	5 minutes
Last date for determination:	19.09.2016	Ward	Sholing
Reason for Panel Referral:	More than 5 letters of objection have been received	Ward Councillors	Cllr Houghton Cllr Keogh Cllr Lewzey

Applicant: Tps Dez Developments Ltd	Agent: Robinson Escott Planning
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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. Other material considerations 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. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 186-187 of the National Planning Policy Framework (2012). SDP1, SDP5, SDP7, SDP9, SDP10, SDP12, H1, H7 of the City of Southampton Local Plan Review (Amended 2015) and CS4, CS5, CS13, CS16, CS18, CS19, CS20, CS22 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015).

Appendix attached			
1	Development Plan Policies	2	Planning History

Recommendation in Full

Conditionally approve

1. **Background**

- 1.1 On the 5th February 2015, planning permission was granted for the redevelopment of the site to provide two houses fronting South East Road and a single-storey retail unit on the corner with Spring Road (reference 14/01252/FUL). The residential aspect of this permission has been delivered but works have not commenced on the retail aspect due to viability concerns with this scheme. This application, therefore, seeks an alternative scheme for the retail part of the site.

2. **The site and its context**

- 2.1 The application site is located within the ward of Sholing. The site has two frontages, being on the corner of South East Road and Spring Road. The surrounding area is mainly characterised by a mixed style of residential properties.
- 2.2 The site was formerly used as a petrol filling station and most recently used a car wash. The commercial site has become derelict since the petrol station ceased use. As set out above, the site has already been partially developed to provide housing, fronting South East Road.

3. **Proposal**

- 3.1 The application seeks full planning permission to construct four houses to the western corner of the site. These dwellings will be positioned immediately alongside the recently constructed dwellings which front South East Road. Following concerns raised by officers, the applicant amended the current scheme to improve the appearance and design of the dwellings, including the omission of 1 dwelling from the scheme (to reduce the proposal from 5 dwellings to 4 dwellings). The amended proposal will provide two detached dwellings and one pair of semi-detached dwellings (all 3 bedroom units). Each unit has access to two off-street parking spaces fronting South East Road. The south-western boundary of the corner dwelling will be treated with a low brick wall and railings on top, and a planted hedge behind.

4. **Relevant Planning Policy**

- 4.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (as amended 2015) and the City of Southampton Core Strategy (as amended 2015). The most relevant policies to these proposals are set out at **Appendix 1**.
- 4.2 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.
- 4.3 Saved Policy SDP1 (Quality of development) of the Local Plan Review allows development, providing that it does not unacceptably affect the health, safety and amenity of the city and its citizens. Policy SDP7 (Context) and SDP9 (Scale, Massing, and Appearance) allows development which will not harm the character and appearance of the local area, and the building design in terms of scale and massing should be high quality which respects the surrounding area. Policy CS13 (Fundamentals of Design) assesses the development against the principles of good design.

4.4 Policy CS4 acknowledges that new homes will generally need to be built at higher densities. New dwellings coming forward on suitable windfall sites will contribute towards delivering the Council's strategic target for housing supply.

4.5 Policy CS5 acknowledges that whilst there is continuing pressure for higher densities in order to deliver development in Southampton, making efficient and effective use of land, however, the development should be an appropriate density for its context, and protect and enhance the character of existing neighbourhoods.

5. **Relevant Planning History**

5.1 Historically, the site has been used commercially since the 1970 as a petrol filling station. Most recently, an application was approved in 2015 for the erection of small supermarket (ref no. 14/01252/FUL). The full planning history is set out in **Appendix 2** of the report.

6. **Consultation Responses and Notification Representations**

6.1 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 (17.5.16). Following this consultation exercise, 9 representations were received. A further consultation exercise was carried out following the receipt of amended plans. At the time of writing the report no further representations have been received from surrounding residents. The following is a summary of the points raised:

6.1.1 **Preference to develop the site as a supermarket rather than housing.**

6.1.2 Response

The site is not safeguarded for retail development and, as such, there is no policy requirement for retail development to come forward on this site. This site is, however, identified in the Council's Strategic Housing Land Assessment as a site for housing delivery. Furthermore, the Council's policies support the delivery of previously developed sites, such as this, for housing. The provision of housing will benefit the local area to contribute towards the city's housing need.

6.1.3 **Increase movement of traffic adjacent to the busy junction to the detriment of road safety. The smaller development would not provide funding towards road safety improvements in relation to the junction and safe crossing of school children. There is a lack of parking being provided which would cause further pressure to on street parking.**

6.1.4 Response

The level of trips associated with the proposed dwellings would be less than the historic commercial use as well as the retail development that was approved in 2015. The Highway Officer is satisfied that the access and parking arrangements would not cause any adverse impact on road safety with respect to the junction with Spring Road. Each dwelling will be served by 2 off street parking spaces, in compliance with the maximum parking standards. A parking survey has also been provided to demonstrate that there is on street parking capacity in the local area.

6.2 **Consultation Responses**

6.2.1 **SCC Highways – No objection**

6.2.2 **SCC Sustainability Team – No objection**

- 6.2.3 **SCC Environmental Health (Pollution & Safety) – No objection**
- 6.2.4 **SCC Environmental Health (Contaminated Land) – No objection**
- 6.2.4 **Southern Water – No objection**

7. Planning Consideration Key Issues

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

- Principle of Development;
- Impact on Character and Amenity and;
- Impact on Highway Safety

7.2 Principle of Development

7.2.1 The redevelopment of this derelict commercial site to provide housing is acceptable in principle. The opportunity to establish the site for housing within a predominantly residential area is supported, whilst this would boost the city's supply of family housing on a suitable windfall site. The site could have come forward as a supermarket, however, the Council has no powers to insist on this use since the site is not safeguarded by policy for this purpose. The proposal would bring a long-term vacant site back into active use which is welcome.

7.3 Impact on Character and Amenity

7.3.1 The layout and form of the development needs to respond to the existing dwellings already built on the site as well as the more established residential neighbours. Following the amendment of the scheme, the design better responds to the context of the surrounding area by spacing out the layout of the development to create two smaller detached dwellings on the corner with Spring Road and a pair of semi-detached houses adjacent to the recently constructed semi-detached pair.

7.3.2 The corner dwelling now better relates to the street frontage of Spring Road by including the gabled bay and strong entrance feature on the north-west elevation and aligning with the predominant building line of Spring Road. The proposal, therefore, addresses both street frontages well, also responding to the building line of the two recently constructed houses fronting South-East Road. The dwellings have a relatively traditional appearance with brick elevations, hipped roofs with chimneys and bay windows, which all relate well to the surrounding development. The scale and massing of the dwellings are also sympathetic to the general pattern of development in the area.

7.3.3 As such, it is considered that the design of the dwellings would respect the character and appearance of the surrounding area, and is more consistent with the surrounding context than the previously approved retail scheme. Moreover, this is an opportunity to redevelop a derelict site which has been causing an ongoing blight to the surrounding area.

7.3.4 The proposed dwellings share the common boundary with 222 Spring Road to the south. The 10m length rear gardens would provide a sufficient separation distance between the neighbouring gardens to ensure there is no harmful loss of privacy, light and outlook. The layout of the proposed dwellings are considered to provide an acceptable living environment for future occupiers.

7.4 Impact on Highway Safety

7.4.1 Local residents have expressed concerns about the impact from parking overspill from the new housing nearby the junction with Spring Road. The

Highway Officer is satisfied that the access and parking arrangements would not cause any adverse impact on road safety with respect to the junction with Spring Road. The erection of any structures in the garden of the end corner unit within the visibility splays (up to 70m) would not be permitted to safeguard the sightlines of vehicles turning left onto Spring Road. Given the scale of the development and the relatively minor trip rates that it would generate compared with the previous use of the site, the proposal does not necessitate site specific highway improvements in the vicinity of the site.

- 7.4.2 The level of trips associated with the proposed dwellings would be less than the levels associated with the historic commercial use and the retail development that was approved in 2015. The dwellings have 2 off street parking spaces each which would meet the maximum requirement for 3 bedroom houses set out in the Council's Parking Standards Supplementary Planning Document. The approach to the parking survey has been previously accepted by the Council in approving planning application 14/01252/FUL and there have been no material changes since this time. As such, the parking survey is still acceptable. The Highway Officer previously supported the findings of this survey. Although the report is now 2 years old, it is still considered to be materially relevant given that the circumstances within the local area have not significantly changed. It is therefore considered that the level of parking provided will be sufficient for this development.

7.5 Other Matters

- 7.5.1 The Conservation of Habitats and Species Regulations 2010 (as amended) provides statutory protection for designated sites, known collectively as Natura 2000, including Special Areas of Conservation (SAC) and Special Protection Areas (SPA). This legislation requires competent authorities, in this case the Local Planning Authority, to ensure that plans or projects, either on their own or in combination with other plans or projects, do not result in adverse effects on these designated sites. The Solent coastline supports a number of Natura 2000 sites including the Solent and Southampton Water SPA, designated principally for birds, and the Solent Maritime SAC, designated principally for habitats. Research undertaken across south Hampshire has indicated that current levels of recreational activity are having significant adverse effects on certain bird species for which the sites are designated. A mitigation scheme, known as the Solent Disturbance Mitigation Project (SDMP), requiring a financial contribution of £176 per unit has been adopted. The money collected from this project will be used to fund measures designed to reduce the impacts of recreational activity. This application has complied with the requirements of the SDMP and meets the requirements of the Conservation of Habitats and Species Regulations 2010 (as amended).

8. Summary

- 7.1 In summary, the proposal provides an opportunity to redevelop a longterm derelict and vacant site to provide good quality family housing. The layout of the access and parking has been designed to ensure that further road safety issues are minimised.

9. Conclusion

- 9.1 In conclusion, the proposal is judged to have an acceptable impact in accordance with the Council's current policies and guidance.

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1(a), (b), (c), (d), 2 (b), (d), 4(f), (g), (vv), 6(a), (b)

SB for 13/08/16 PROW Panel

PLANNING CONDITIONS

01. Full Permission Timing Condition

The development hereby permitted shall begin no later than three years from the date on which this planning permission was granted.

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

02. Details of building materials to be used

Notwithstanding the information shown on the approved drawings and application form, with the exception of site clearance, demolition and preparation works, no development works shall be carried out until a written schedule of external materials and finishes, including samples and sample panels where necessary, has been submitted to and approved in writing by the Local Planning Authority. These shall include full details of the manufacturer's composition, types and colours of the external materials to be used for external walls, windows, doors, rainwater goods, 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. 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. Land Contamination investigation and remediation

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved by the Local Planning Authority. That scheme shall include all of the following phases, unless identified as unnecessary by the preceding phase and approved in writing by the Local Planning Authority:

1. A desk top study including;
 - historical and current sources of land contamination
 - results of a walk-over survey identifying any evidence of land contamination
 - identification of the potential contaminants associated with the above
 - an initial conceptual site model of the site indicating sources, pathways and receptors
 - a qualitative assessment of the likely risks
 - any requirements for exploratory investigations.

2. A report of the findings of an exploratory site investigation, characterising the site and allowing for potential risks (as identified in phase 1) to be assessed.

3. A scheme of remediation detailing the remedial actions to be taken and how they will be implemented.

On completion of the works set out in (3) a verification report shall be submitted to the Local Planning Authority confirming the remediation actions that have been undertaken in accordance with the approved scene of remediation and setting out any measures for maintenance, further monitoring, reporting and arrangements for contingency action. The verification report shall be approved by the Local Planning Authority prior to the occupation or operational use of any stage of the development. Any changes to these agreed elements require the express consent of the local planning authority.

Reason: To ensure land contamination risks associated with the site are appropriately investigated and assessed with respect to human health and the wider environment and where required remediation of the site is to an appropriate standard.

04. 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.

05. Public Sewer protection

Prior to the commencement of development, details of the measures to protect the public sewer from damage during the demolition and construction shall be submitted to and approved by the Local Planning Authority in writing. The measures shall be implemented as approved for the duration of demolition and construction works.

Reason: In order to safeguard the public sewer.

06. Construction Management Plan

Before any development or demolition works are commenced details shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Plan for the development. The Construction Management Plan shall include details of:

- (a) parking of vehicles of site personnel, operatives and visitors;
- (b) loading and unloading of plant and materials;
- (c) storage of plant and materials, including cement mixing and washings, used in constructing the development;
- (d) treatment of all relevant pedestrian routes and highways within and around the site throughout the course of construction and their reinstatement where necessary;
- (e) measures to be used for the suppression of dust and dirt throughout the course of construction;
- (f) details of construction vehicles wheel cleaning; and,
- (g) details of how noise emanating from the site during construction will be mitigated. The approved Construction Management Plan shall be adhered to throughout the development process unless agreed otherwise in writing by the local planning authority.

Reason: In the interest of health and safety, protecting the amenity of local land uses, neighbouring residents, the character of the area and highway safety.

07. Hours of work for Demolition / Clearance / 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 to 18:00 hours

Saturdays 09:00 to 13:00 hours

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.

08. Wheel Cleaning

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

Reason: In the interests of highway safety.

09. Energy & Water

Before the development commences, written documentary evidence demonstrating that the development will achieve at minimum 19% improvement over 2013 Dwelling Emission Rate (DER)/ Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of a design stage SAP calculations and a water efficiency calculator shall be submitted to the Local Planning Authority for its approval, unless an otherwise agreed timeframe is agreed in writing by the LPA.

Reason: To ensure the development minimises its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

10. Energy & Water

Within 6 months of any part of the development first becoming occupied, written documentary evidence proving that the development has achieved at minimum 19% improvement over 2013 Dwelling Emission Rate (DER)/ Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of final SAP calculations and water efficiency calculator and detailed documentary evidence confirming that the water appliances/fittings have been installed as specified shall be submitted to the Local Planning Authority for its approval.

Reason: To ensure the development has minimised its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

11. Visibility Splays

Visibility Splay [shown on the approved drawing A-1200 Revision 3; of 2.4m by 70m] 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) (England) Order 2015 no fences walls or other means of enclosure shall be erected above a height of 0.6m above ground level within the sight line splays. This is with exception to the metal railings to be erected above the boundary wall where the spacing of the railings shall be adequately spaced to maintain visibility.

Reason: To provide safe access to the development and to prevent congestion on the highway.

12. Amenity Space Access

Before the development hereby approved first comes into occupation, the external amenity space and pedestrian access to it including means of enclosure, shall be made available including grassing the soft landscaped areas and laying out the hard landscaped areas for use in accordance with the landscaping plan to be agreed. The amenity space and access to it including means of enclosure and surface treatment shall be thereafter retained for the use of the dwellings.

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

13. Parking

The parking and access shall be provided in accordance with the plans hereby approved before the development first comes into occupation and thereafter retained as approved. This shall include the stopping of any redundant highway access and the reinstatement of the dropped kerb.

Reason: To prevent obstruction to traffic in neighbouring roads and in the interests of highway safety.

14. Landscaping detailed plan

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

- i. specification of the hard landscaping;
- ii. planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate;
- iii. a landscape management scheme.

The approved hard and soft landscaping scheme (including parking) for the whole site shall be carried out prior to occupation of the building or during the first planting season following the full completion of building works, whichever is sooner. The approved scheme implemented shall be maintained for a minimum period of 5 years following its complete provision.

Any trees, shrubs, seeded or turfed areas which die, fail to establish, are removed or become damaged or diseased, within a period of 5 years from the date of planting shall be replaced by the Developer in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation. The Developer shall be responsible for any replacements for a period of 5 years from the date of planting.

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

15. Cycle storage facilities

Before the development hereby approved first comes into occupation, secure and covered storage for bicycles shall be provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The storage shall be thereafter retained as approved.

Reason: To encourage cycling as an alternative form of transport.

16. Refuse & Recycling

Before the development hereby approved first comes into occupation, details of storage for refuse and recycling, together with the access to it, shall be submitted to and approved in writing by the Local Planning Authority. The storage shall be provided in accordance with the agreed details before the development is first occupied and thereafter retained as approved.

Reason: In the interests of visual amenity, the amenities of future occupiers of the development and the occupiers of nearby properties and in the interests of highway safety.

Note to applicant: In accordance with para 9.2.3 of the Residential Design Guide (September 2006): if this development involves new dwellings, the applicant is liable for the supply of refuse bins, and should contact SCC refuse team at Waste.management@southampton.gov.uk at least 8 weeks prior to occupation of the development to discuss requirements.

17. Obscure Glazing

All windows serving the rooms containing the wash facilities and WC, located at first floor level and above of the hereby approved development, shall be obscurely glazed and fixed shut up to a height of 1.7 metres from the internal floor level before the development is first occupied. The windows shall be thereafter retained in this manner.

Reason: To protect the amenity and privacy of the adjoining property.

18. Residential - Permitted Development Restriction

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 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 F (hard surface area)

Reason: In order that the Local Planning Authority may exercise further control in this locality given the specific circumstances of the application site and in the interests of the comprehensive development and visual amenities of the area.

19. 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.

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS4	Housing Delivery
CS5	Housing Density
CS13	Fundamentals of Design
CS19	Car and Cycle parking
CS20	Sustainability
CS22	Biodiversity
CS25	The Delivery of Infrastructure and Developer Contributions

City of Southampton Local Plan Review – (as amended 2015)

SDP1	Quality of Development
SDP5	Parking
SDP7	Context
SDP9	Scale, Massing & Appearance
SDP10	Safety and Security
SDP12	Landscaping
NE4	Protected Species
H1	Housing supply
H2	Previously developed land
H7	Residential environment

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)
Planning Obligations (Adopted - September 2013)
Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework (2012)
The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

Relevant Planning History

1386/34R1 - Self service filling station - CAP 1970

1482/E1 - Convert car wash to MOT bay - CAP 1974

940610/E - Redevelopment of the site by the erection of a petrol filling station with sales building and car wash - CAP

04/00389/FUL - Demolition of the existing structures to provide a new petrol filling station with sales building, forecourt canopy, pumps and underground tanks, parking and car care facilities - SCCWDN

07/01593/FUL - Redevelopment of the site. Demolition of the existing buildings and erection of a three storey building to provide a retail store and 14 flats (4 x one-bedroom, 10 x two-bedroom) with associated parking and vehicular access from South East Road (Major Application) - REF

08/01109/FUL - Redevelopment of the site. Demolition of the existing service station and erection of a 3-storey building to provide 14 flats (8x1-bed and 6x2-bed) and a retail store (Class A1) with associated parking and landscaping – REF

14/01252/FUL - Redevelopment of the site to create a mixed retail and residential development comprising a single-storey retail unit and 2 x three-bed, semi-detached dwelling houses with associated car parking, cycle storage and revised access - CAP

