

Southampton City Planning & Sustainability  
 Planning and Rights of Way Panel meeting 26 October 2010  
 Planning Application Report of the Planning and Development Manager

<b>Application address:</b> Thorners Homes Regents Park Road SO15 8NW			
<b>Proposed development:</b> Re-development of the site to provide 63 flats ( 1 X one-bedroom, 62 X two-bedroom) and 11 houses (4 X two bedroom and 7 X three bedroom) and one 2 X bedroom bungalow in single, two and three storey buildings with associated access and parking			
Application number	10/01090/FUL	Application type	FUL
Case officer	Steve Lawrence	Public speaking time	15 minutes
Last date for determination:	15.11.2010	Ward	Millbrook
Reason for Panel referral	Major, involving planning agreement and loss of most of a locally listed building	Ward Councillors	Cllr L Norris Cllr A Wells Cllr D Furnell

<b>Applicant:</b> Thorner's	<b>Agent:</b> Kenn Scaddan Associates Ltd
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<b>Recommendation Summary</b>	<b>Delegate to Planning and Development Manager to grant planning permission subject to criteria listed in report</b>
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<b>Appendix attached</b>			
1	Development Plan Policies/National Planning Policy	2	Further written views of Chair of the Architects Panel 13.10.10

**Reason for granting Permission**

The development is acceptable taking into account the policies and proposals of the Development Plan set out below, and other material considerations do not have sufficient weight to justify a refusal of the application. The local planning authority is satisfied that the design quality and finishes proposed for the new building will be of at least equal quality to those original 1930's building proposed to be demolished which are locally listed and therefore undesignated heritage assets under Planning Policy Statement No. 5. In addition, current rates of vacancy – particularly of first floor flats are of concern in that they could lead to lower rates of maintenance and water ingress causing damage to those buildings. Protected trees on the site would be safeguarded and where modest pruning is proposed, this would not harm the overall health and amenity value of those trees. Adequate mitigation has been set out to provide for Bats on the site. The submitted transport statement and Travel Plan create a clear argument for the level of car parking put forward. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

The following policies from the Development Plan :-  
 City of Southampton Core Strategy (January 2010)  
 CS4, CS5, CS13, CS14, CS15, CS16, CS18, CS19, CS20, CS22, CS23 and CS25.  
 'Saved' policies of the City of Southampton Local Plan Review (March 2006)  
 SDP1, SDP4, SDP5, SDP6, SDP7, SDP8, SDP9, SDP10, SDP11, SDP12, SDP13,  
 SDP14, SDP16, SDP17, SDP21, SDP22, NE4, HE4, CLT5, CLT6, H1, H2, H3 and H7.

## Recommendation in Full

Delegate to the Planning and Development Manager to grant planning permission subject to the completion of a S.106 Legal Agreement to secure:

- i. Financial contributions towards site specific transport contributions for highway improvements in the vicinity of the site in line with Policy SDP4 of the City of Southampton Local Plan Review (March 2006), policies CS18 and CS25 of the adopted LDF Core Strategy (2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended);
- ii. A financial contribution towards strategic transport projects for highway network improvements in the wider area as set out in the Local Transport Plan and appropriate SPG/D;
- iii. Financial contributions towards the relevant elements of public open space required by the development in line with policies CLT5, CLT6 of the City of Southampton Local Plan Review (March 2006), Policy CS25 of the adopted LDF Core Strategy (2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended):-  
  
Children's playspace (for the general needs housing element only)  
Amenity Open Space ("open space" for all parts of the development)  
Playing Field (for the general needs housing element only);
- iv. Affordable housing;
- v. Submission of a highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer;
- vi. An agreement to pay the council or their partner company's supervision fees related to working on the highway.
- vii. With the exception of the managers living accommodation, not allow any part of the active elderly accommodation to be permanently occupied as a primary place of residence by any person under the age of 55 years old;
- viii. To require the applicant to implement the submitted Travel Plan in respect of the active elderly accommodation proposed only, to appoint a Travel Plan Co-ordinator to liaise with Southampton City Council's Travel Plan Officer and manage the implementation of that Travel Plan. And to monitor the implementation for a period of five years after first occupation of any part of that active elderly accommodation, producing bi-annual reports that are to be submitted to Southampton City Council, the last to be submitted 5 years and six months after first occupation of any part of the active elderly accommodation; and,
- ix. The provision and adoption of a Waste Management Plan in respect of the active elderly accommodation to ensure that domestic waste from that accommodation is collected and deposited in the detached refuse store close to Regents Park Road, to enable its collection; and,
- x. An employment and training plan related to the construction of the project.

In the event that the legal agreement is not completed by *15 November 2010* the Planning and Development Manager be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.

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

1.1 The site is located some 450m south-west of the defined Shirley Town Centre and fronts Regents Park Road, Clifton Road and Oakley Road. The site is unallocated on the Proposals Map of the Local Plan Review and sits within an area of medium accessibility. There is a doctor's surgery within 200m of the site and a dentists practice exists close by at 35 St Edmunds Road.

1.2 Two individual trees to the Regents Park Road frontage and a group of trees to the Clifton Road frontage are protected by the Southampton Regents Park Tree Preservation Order 1965. The original 1930's buildings on site are locally listed, affording them some degree of protection as a non-designated heritage asset under the Government's Planning Policy Statement 5.

1.3 Those buildings are very locally distinctive in the area and laid out in an axial plan of 3 courtyards (North, Centre and South Courts), with clear views through the site via tall archways. A copper clock tower also tops one of the buildings in Centre Court and is a local landmark. These buildings are finely detailed, mainly of a grey face brick with flush red brick detailing and plinth and projecting, parapeted gables, marked by red brick quoins at their edges. Roofs are plain tiled and the gable roofs have a curved 'swept' abutment to the main roofs. The buildings are set in lawned grounds bounded by a wall and decorative railings.

1.4 The western part of the site (West Court) added under a consent given in 1968 is, by comparison, very bland and architecturally unremarkable. It's frontage to Clifton Road is not marked by the same decorative wall railings detail elsewhere on site. An electricity sub-station compound exists within the site and an enclosed cleared/overgrown area forms part of the Oakley Road frontage, enclosed by a plain brick wall, punctuated by a decorative pair of iron gates in the same style of railings/gates on other frontages.

1.5 In total, the irregularly shaped site of 1.03 hectares provides 84 single person units of living accommodation, where 11 of these are bed-sitting rooms 33-34 sq.m area. Site levels drop 1m west-east across the site and there are 13 on-site car parking spaces in two courts, accessed via independent vehicle access points to Clifton Road. 6 tenants currently own cars. Access via Oakley Road is currently padlocked and a pedestrian gate gives access to Regents Park Road.

1.6 A two-storey detached Victorian villa (135 Regents Park Road) exists on the eastern edge of the site, which provides common facilities for the elderly residents and a warden's flat. This building is cream rendered and its roof slate clad. The building itself and its front curtilage is not shown to be part of the application site, but is within the ownership of the applicant.

1.7 The immediate area surrounding the site is predominantly residential in character with two exceptions. These are a car repairs garage abutting the north-eastern edge of the site fronting Oakley Road and a children's day nursery at 188 Regents Park Road.

1.8 Housing in the area is predominantly of two storey scale, but there are 3 and 4 storey blocks of flats near to the site and a single storey bungalow adjoins at

30 Oakley Road. There are a variety of differently coloured facing and roofing materials, with examples of terraces, semi-detached properties and detached properties.

## **2. Proposal**

2.1 The development comprises two parts. Both would enjoy vehicular access from Oakley Road, where it is possible to form 2m x 43m sight lines. A total of 36 car parking spaces were originally proposed, albeit now reduced to 35 owing to highway safety concerns in Oakley Road. 16 are for the active elderly flats, one for each general needs dwelling and the remaining 4 given over to visitor parking. The 16 for the flats are grouped in their own enclosed courtyard by the main entrance to the active elderly flats and would include two spaces for the disabled. All would be constructed to a minimum of Level 3 of Code for Sustainable Homes.

2.2 The redevelopment would necessitate the re-positioning/re-provision of the existing electricity sub-station. An indicative location for that new structure is shown on the site layout plan, between the new housing and elderly flats, nestled into a corner of the visitor parking layout. No elevational details have yet been provided. So positioned, this structure would be visible from Oakley Road. A public sewer crosses the site and provision would be made for its diversion through an agreement with Southern Water.

2.3 The first element of the proposed development involves the demolition of all existing buildings save for the eastern clocktower part of Centre Court and their replacement with a two storey 'H'-shaped block, attached to the retained building. The new block is arranged to create two courtyard spaces, A detached single storey bin store located within 10m of Regents Park Road would serve that building containing 60 x 2 bed flats (49 No. 68 sq.m in floorplate, 8 No. 73 sq.m in floorplate and 3 No. 82 sq.m in floorplate) for the active elderly, with common facilities. 3 of these flats would be formed in the retained building, where one of these would be occupied by the warden/manager of this accommodation. Each first floor flat would enjoy its own external balcony. All 60 would be provided on an affordable basis for rent. The applicant is a Registered Social Landlord. Integral, common facilities would comprise:-

- one lounge/common room with 'tea point';
- a laundry;
- two disabled persons WC's; and,
- a secure combined mobility buggy/cycle store (6 buggies/10 bicycles shown).

2.5 There would also be a plant room containing a gas powered boiler and managers office on the ground floor. Additionally in terms of sustainable development it is proposed to employ/harness solar energy. Such photovoltaic panels would be positioned out of sight in a flat-roofed valley between roof ridges, being that in section, because the flats are generally single aspect, either side of a central corridor, there would be an inner and outer roof profile. Six stairwells and two lift shafts would provide access to the first floor of the block. All flats would have two bedrooms and be design to Lifetime Homes standards, to also fully comply with Part M of the Building Regulations in terms of access for all.

2.6 Elevationally this block would comprise alternating red/grey face brickwork (projecting bays in Grey with reconstituted stone coping detail to parapets) with contrasting plinth. All windows, doors and balcony frameworks would be polyester powder coated aluminium. The Architect has confirmed that a samples panel will be available at the meeting. A written undertaking has also been given to salvage the existing clay tiles for re-use of the new building if feasible and in good condition.

2.7 The second part of the development involves the construction of 15 general needs dwellings, which would be disposed of to help fund the building of the 60 active elderly flats. Those have otherwise achieved conditional grant funding by the Homes and Communities Agency.

2.8 Two terraces of 5 houses and 5 houses and a building containing 3 flats would front Oakley Road, set back from the pavement to allow in-curtilage parking at the front. The houses would be two storey in height and the flatted block 3 storeys. A semi-detached pairing of a two storey house and single storey bungalow is proposed to the rear of the first terrace, adjacent to the bungalow at 30 Oakley Road.

2.9 Elevationally these dwellings would comprise brick, reconstituted stonework, polyester powder coated window/door frameworks beneath a varied roofscape.

2.10 It is important to understand the rationale behind redevelopment. The existing buildings are no longer considered fit for purpose to house their elderly residents. Of 84 existing flats on site 28 are currently vacant (mostly at first floor level). Whereas the older buildings staircases to first floor flats are covered, they are still open to the elements and contain unsafe, blind corners. Whilst those for West Court do not suffer the latter impediment, they are completely open to the elements. These staircases can be treacherous to the elderly in wet/icy weather.

2.11 With these single occupancy units averaging at around 32 sq.m - (those in West Court are marginally bigger, but have a combined bed/living space) – the accommodation, especially when furnished – is very cramped and makes it difficult to use walking aids and for carers to assist the elderly tenants. In particular, the very small shower-rooms are accessed via the bedroom, which is not conducive to modern living nor the dignity/privacy of tenants. The site is also relatively open to intruders and tenants complain of disturbances and trouble by youths coming on to the site. Heating systems are poor, storage inadequate and there is nowhere for a guest to stay.

2.12 Conversion of the existing flats to create two bedroom flats has been considered. Whilst this would allow retention of the fine looking and distinctive 1930's buildings, it would lessen the overall density on the site making the scheme economically unviable, lifts would need to be installed, which would be likely to detract from the appearance of the buildings and security issues would not be properly addressed. Instead, a building of quiet rhythm has been designed, so as to not compete with the retained clocktower building and abut it sub-serviently.

2.13 A number of supporting documents have been submitted with the planning application, including:-

- Design and access statement
- Statement of community involvement
- Affordable housing statement
- Ecological survey, supported by a detailed Bat survey
- Tree survey and arboricultural impact assessment/method statement
- Transport Statement
- Active elderly travel plan
- Waste management strategy
- Assessment of environmental noise
- Sustainability checklist and report
- Water environment impact statement

- Desk study, site investigation & risk assessment report

### **3.0 Relevant Planning Policy**

3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (March 2006) and the City of Southampton Core Strategy (January 2010). The most relevant policies to these proposals are set out at **Appendix 1**, along with the most relevant parts of the Government’s Planning Policy Statement 5.

3.2 Major developments are expected to meet high sustainable construction standards in accordance with the City Council’s adopted and emerging policies. In accordance with adopted Core Strategy Policy CS20 and Local Plan “saved” Policy SDP13.

### **4.0 Relevant Planning History**

4.1 The oldest North Central and South Courts were built in the 1930’s, when earlier housing adjacent to the Southampton Civic Centre in Above Bar Street/West Marlands Road was redeveloped. The Thorners Charity was established by Robert Thorne – a wealthy merchant and philanthropist – with the express purpose of housing widows of good character and of poor financial means.

4.2 West Court was added in the late 1960’s. Consent for a warden’s house (1978) on a similar building line next to 30 Oakley Road and a small office/WC between North Court and Oakley Road (1981), were never built out.

4.3 Pre-application discussions and the developer engaging with the local community regarding redevelopment of the site occurred from May this year. Initially, the Thorners Charity had sought Planning Officers’ views on the demolition of all buildings within the current application site edged red and their replacement with 56 two bedroom flats and 4 bungalows for women over the age of 55 together with adjacent residential development for general use and associated landscaping, car parking, bin and cycle storage. The 56 flats were to have been in a single two/three storey block, turning the corner from Clifton Road into Regents Park Road.

4.4 The Architects Panel reviewed that earlier scheme and unanimously opposed it. Planning Officers concurred with that view and advised that such proposals would not provide a building of equal distinctive character to the locally listed building and thus not be supported. The Applicant’s Architect has therefore produced the scheme currently submitted to address those concerns and again explained this to the local community via an open event, where no significant adverse reaction is reported as having been received.

### **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 (enter date) and erecting a site notice (enter date). At the time of writing the report **6 objections** and 1 letter raising questions have been received, mostly from surrounding residents, on the following grounds:-

#### **Principle**

- The new buildings are of insufficient quality to justify the loss of one of Southampton's architectural gems and local landmark buildings. The buildings play an important role in the area, have an important setting and their demolition would erode local amenity. Under "modern methods of procurement", it is already evident that specialist bricks, tiles and joinery will not be used, therefore attempts to produce equal quality will be difficult.
- Commercial reasoning alone should not be acceptable justification for demolishing the majority of the buildings on site, where other private developers would find it easier to secure funding for a conversion, rather than a redevelopment. There are better examples locally of sympathetic conversion/enlargement than of recent flatted blocks which have eroded the character of the area. It is asserted that the applicant's viability arguments are flawed and one writer offers to purchase the site to pursue such a conversion. One writer asserts that the Planning and Rights of Way Panel should disassociate itself from any development which involves major demolition of the existing Thorner's Homes. It should be remembered that Sir Aston Webb was considered to have been one of the most distinguished Victorian architects, a President of the RIBA and a gold medal holder. He changed the architectural character of London by formalising the avenue approach with the Mall, designing Admiralty Arch and the facade of Buckingham Palace.
- The site is not identified in the Council's strategic Housing Land Availability Assessment and should therefore be refused.
- Existing buildings should be renovated and converted to acceptable one bedroom flats with some additional buildings to provide visitor accommodation.
- Unacceptable increase in intensity of occupation/density at the site, with insufficient social infrastructure/green space in the area to support new development.
- Concern that the new sheltered flats will be visually closer to the site boundaries in Regents Park Road and Clifton Road.

#### Highways related matters

- Insufficient car parking to serve the development, which will contribute to greater congestion in Regents Park Road and Clifton Road, especially having regard to intended plans at British American Tobacco for a cash and carry warehouse, who are disposing of part of their site.
- Concern about where construction traffic will access the site if consent is given and the scheme built out.

#### Amenity issues

- Overlooking via new windows looking westwards towards Lawnside Road, where none previously existed.

In addition, **7 letters** (from existing tenants) and an e-mail from Councillor Mead **of support** have been received on the basis that the existing buildings are unsuitable for the purposes of Thorners Charity, the reasoning outlined in paragraphs 2.10-2.11 above and every alternative option has been explored. The proposals have been modified to take account of the comments of the Architects Panel. One other writer offers general support and is pleased that vehicular access to Clifton Road is to be stopped up.

## 5.2 SCC Highways

5.2.1 Conditions will be required to resolve the location of the cycle stores for the dwellings, and the bin stores.

5.2.2 There is no provision at the front of the houses for bins or bikes to be stored, so it is assumed bins and bikes will be stored in the rear gardens. The bins will then be moved to a suitable hardstanding on collection day by the residents. There is a need to identify where these collection points will be. Bike stores can be a shed in the rear gardens with a locking eye/Sheffield hoop to make the cycles lockable inside the store.

5.2.4 Concern is expressed about the run of 3 parking bays in front of the block of 3 flats, This number should be reduced to two, to aid pedestrian safety. There are parking spaces to the rear of the site which could be used as the third parking bay as needed.

5.2.5 Flatted scheme: It is noted that a waste management plan will ensure residents' refuse is collected and taken to the common store within 10m of Regents Park Road.

5.2.6 The scheme provides for 10 cycles to be parked for residents, and the agent has confirmed a Sheffield stand for 5 visitor cycles will be positioned close to the building's main entrance visitor cycle parking facilities.

5.2.7 A delivery and routing strategy, with timing to avoid school start and finish times, should be conditioned.

### 5.3 **SCC Housing Development Team**

5.3.1 The affordable housing requirement for this site is 35%.  $75 \text{ units} \times 35\% = 26.25$  units/ rounded down to 26 units. Actual affordable units being provided is 60 ie 80% of total units.

5.3.2 The scheme currently provides 84 units of affordable housing for women over 55. The current units are extremely small. They are unsuitable for modern use .

5.3.3 Thorners have considered many ways of bringing the existing scheme up to modern, 'Decent Homes' standard but it is simply not practically or economically viable to do so. The current scheme is also hard to let, with significant void levels. It does not meet current housing need in the city.

5.3.4 Thorners have worked closely with the Housing Development Team, Adult Social Care and the Homes and Community Agency (HCA) to develop plans for the new scheme. They have also consulted extensively on them.

5.3.5 The proposed new affordable homes will have 2 bedrooms. As well as enhancing the lives of existing residents, these homes will be attractive to under occupiers, i.e. people currently living in homes that are larger than they need. The council has been targeting under occupiers in existing affordable housing in order to free up much needed family sized homes for those on the housing register. In this way, as well as providing 60 homes for older people, the scheme will also provide affordable family homes at each subsequent relet.

5.3.6 The HCA have agreed to provide over £4.5 million funding for this scheme. This is a significant investment for the city. A requirement of this funding is that the scheme starts on site by the end of March 2011. If this doesn't happen it is extremely unlikely (given the current economic climate) that such a funding level would be available in the future. If



Thorners cannot redevelop the site then void levels are likely to increase, and the city will lose this excellent opportunity to meet housing need.

5.3.7 The Housing Development Team fully support this planning application as it will make a significant contribution to meeting current and future housing need in the city.

5.4 **SCC Sustainability Team** – Recommend three planning conditions to secure a minimum of level 3 Code for sustainable homes, micro-renewables and a system of sustainable urban drainage (SUDS).

5.5 **SCC Environmental Health (Pollution & Safety)** – Have no objections and recommend three planning conditions to ensure that the amenities of occupiers of adjoining properties are safeguarded during the build process.

5.6 **SCC Ecology** – It is noted that a small Bat roost has been identified in the roof void of 5-8 South Court. Raises no objection to demolition between November and February, subject to an appropriate licence being obtained from Natural England and achieving the mitigation measures (placing of 10 Bat tubes throughout the new buildings) set out in paragraph 7.1.9 of the later bat survey. The “Three Tests” set out in the Habitats Regulations 2010 have been considered. Based on the information provided within the bat report and policies contained with the Core Strategy and the retained elements of the local plan (if any retained policies relate to housing need or brown field land) it has been concluded that the Three Tests have been met.

5.7 **SCC Development Co-ordinator: Children’s Services and Learning** – Requires that an employment and skills obligation be par of any planning agreement if the Panel are minded to support the proposals.

5.8 **SCC Historic Environment Team** – The buildings were locally listed in 2009 and constitute an important, historic local landmark built in 1932. They were originally designed along neo-classical lines around formal courtyards, with a feature bell tower and formal memorial inscribed by the 20thCentury sculptor and typographer Eric Gill. Two planning conditions are recommended to ensure that any archaeology on the site is investigated and recorded. Thorne Homes Regents Park Road

5.8.1 Policies relevant to Locally Listed building are set out in detail in **Appendix 1**:

5.8.2 PPS5 makes a distinction between *Designated* and *Non-Designated* historic assets. Designated Historic Assets are those which are protected by virtue of their inclusion on a national, statutory list, such as Scheduled Ancient Monuments or Listed Buildings. The PPS recognises that there are many historic assets that are not designated, either because they are not fully defined (for example archaeological sites), or because while valuable, they do not meet the criteria for statutory protection. The application site falls into this latter category.

5.8.3 The key conservation issues for consideration with this application are:

- Have the policies set out in the saved Local Plan Policy HE 4 (i) and (iv) been sufficiently addressed through the application and pre-application process to justify the loss of the Heritage Asset?
- Is the partial loss of this significant Heritage Asset justified in light of PPS policies HE 7.2, 7.4 and 7.7?

- Given that the almshouses clearly have a ‘special significance to a particular community’ (the residents of the Almshouses), have the views of the residents been sufficiently understood to enable the application to be supported?
- Will the proposed new development make ‘a positive contribution to the character and local distinctiveness of the historic environment’ as set out in PPS5 policy HE 7.5?

5.8.4 The current proposals are the result of extensive consultation and re-design. The nature and value of the Homes are recognised in the Design and Access Statement which accompanies the application, and the latest proposals are an attempt to retain the main elements of the building (especially in relation to the relationship with Regents Park Road), while designing new structures that are of comparable quality.

5.8.5 The applicants are clear that, in their view, it will not be possible to convert the existing buildings to modern standard accommodation for their residents, and that issues with the buildings mean that there are considerable vacancy rates, with many of the less accessible first floor rooms being empty. This kind of upper-floor vacancy can be a cause for concern with historic buildings, as they can become more prone to water penetration, damp, and potentially structural problems.

5.8.6 It is accepted that the charity have commissioned their architects to look at ways in which the buildings can be adequately remodelled within the existing façade, and that this was found not to be possible.

5.8.7 The retention of the main entrance building fronting Regents Park Road recognises the contribution that the complex makes to the existing streetscape. Retention of this block, and the associated clock tower is a significant improvement on pre-application proposals to retain the clock tower only, as a feature within the new development. The scaling down of the new development and greater attention to details such as materials, openings, and the rhythm of the new build also recognises the quality of the existing structures.

5.8.8 Apart from the quality of the structures themselves, a significant aspect of the current building is the quality of the spaces between, comprising three enclosed courtyards laid to grass. These are quiet spaces within the site designed for residents to sit out in comfort. The principle of these courtyards has been reflected in the design of the large east and west open spaces, and significantly, with the retention of the grassed area fronting Regents Park road, and the retention of the existing wall and railings.

5.8.9 The key factor in terms of the acceptability or otherwise (in heritage terms) is whether or not the proposed new build makes a positive contribution to the historic environment. That is to say, will the new development be of either equal or better quality than the existing?

5.8.10 The scale and height of the current proposals are more sympathetic than the original proposals. Creating barn hips where the roof currently breaks to form the step back will go a long way to resolving the issue of the relationship between the new build and the retained clocktower building.

5.8.11 To tie in with the language of the existing Alms Houses, the architect should consider introducing quoin detailing to the Gablets, which will help to reduce the visual impact of these structures.

5.8.12 Subject to this information being provided, and the changes outlined above being made, the HET can cautiously welcome these proposals.

5.9 **Architect's Panel** – Cannot support the loss of this rare and important piece of Arts and Crafts housing without seeing a scheme of equivalent quality, albeit the Chair acknowledges that refit of specialist housing requiring lifts to first floor accommodation, makes retention more difficult. Formal Listing of the 1930's buildings should be considered, because apart from the Herbert Collins developments in Bassett, Southampton has very few remarkable Arts and Crafts housing complexes.

5.9.1 Whereas the two storey scale and courtyard layout was supported, there was no support for (as originally submitted) glazed link element running parallel to Regents Park Road, as this would not follow the geometry of the block and only seems to offer additional circulation and would be difficult to make seem 'ephemeral'. Gablets (as originally submitted) seem to be 'stuck' on, not replicating the high quality detailing and proportions of the retained/existing 1930's buildings, nor roof pitch.

5.9.2 The geometry, fenestration and detailing of the new building ought to follow the retained building and same ethos should be applied to the new housing fronting Oakley Road.

5.9.3 The separation between the main block and nearest house was considered poor and adequacy of parking quantum was queried.

5.9.4 The further written views of the Chair of the Architects Panel are set out as **Appendix 2**, expanding upon the above themes of concern.

5.10 **Hampshire Constabulary** – Believe that Part II compliance with 'Secured by design' should be possible. Security to window/doorsets of the new Oakley Road housing should be achievable to the relevant British Standard. It is noted that sheltered accommodation is prone to criminal abuse, where there is often an increase in distraction burglary/rogue trading. Liaison with the developer to improve the scheme is counselled.

5.11 **Southern Water** – Report that a public sewer crosses the site, and that diversion with 3m wayleaves either side of the new line will only be supported if there is no loss of hydraulic capacity, no soakaways positioned within 5m of the new line and no planting within 3m of the new line. The sewer would need to be protected during the build. If hydraulic capacity cannot be maintained, the implication is to require an amendment to the submitted site layout. Conditions and informatives are recommended for any favourable decision. The long term maintenance of SUDS is to be clarified as Southern Water will not adopt such systems.

## **6.0 Planning Consideration Key Issues**

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

- Principle of redeveloping a non-designated heritage asset
- Density, garden land and visual impact to the character of the area
- Highways matters
- Amenity issues and living conditions

## **6.2 Principle of Development**

6.2.1 The existing accommodation is clearly unsuitable for its elderly tenants. Conversion and adaptation of the 1930's buildings has been investigated but would be unviable and could compromise the appearance of these buildings.

6.2.2 Residential use of the site is established and supportable. The proximity of the site to the Shirley Town Centre, local health care and other amenities via good connections from public transport make this a very sustainable location for sheltered flats.

6.2.3 The main issue arising from these proposals is whether the new block and its attachment to the retained 1930's clocktower building, is of sufficient architectural merit and character to justify the loss of the other 1930's buildings, which the Architects Panel regard as a fine example of 'rare and important piece of Arts and Crafts housing', which is locally distinctive to the area, is locally listed and therefore under PPS 5 a non-designated heritage asset.

6.2.4 An iterative design dialogue has occurred with the Architect before and since the submission of the application. A series of adjustments have taken place in the evolution of the scheme to seek to address concerns raised by the Architects Panel. The two storey scale and courtyard layout have the Architects Panel support in principle. Further adjustments have been made to reflect the detailed qualities of the retained building, which include:-

- Deletion of a double height glazed corridor that would have run parallel to Regents Park Road, linking the retained building with an element of the new block, fully enclosing a new courtyard otherwise visible from Regents Park Road.
- Adjusting the roof profile to match the pitch of the retained building, where gabled roofs will be subservient to the main roof ridge and abut it via curved valley tiles, with hips treated with bonnet tiles and plain tiles used throughout. Adjusting the main ridge line, such that hipped, rather than gabled elements now break up the ridge line and massing, with 'dummy' chimney stacks added for further punctuation.
- Changing the detailing of the projecting gablets, so that red brick quoins are added to the edges and adding a further projecting gablet on the corner of the building closest to Regents Park Road, to compliment the appearance of those on the retained clocktower.
- Adjusting window opening proportions to appear 'portrait' rather than 'landscape' in character, defining their heads, (projecting) cills (and mullions for double window units) with contrasting brickwork.
- Adjusting the detailing of the proposed projecting balconies, to have more slender bespoke supporting columns, to be coloured grey to blend with the main grey face brickwork.

6.2.5 With the above adjustments, Officers are content that a building of at least equal merit, visually and in terms of layout, within landscaped grounds, could be built to justify the loss of most of the 1930's locally listed buildings, subject to the build quality being tightly controlled by planning conditions.

6.2.6 Whilst coming closer to each street frontage, an adequate landscaped setting would still be provided for the new building in Regents Park Road and Clifton Road. In the latter street there would be an improvement to the street scene. Whilst the street scene in Oakley Road would be of lesser visual quality to the elevation currently presented by North Court, in overall terms the visual impact to the area arising from re-development would be positive and contribute to the provision of modern sheltered accommodation and family housing.

### 6.3 Density, garden land and visual impact to the character of the area

6.3.1 The landscaped grounds of the existing buildings do provide an amenity, but are not strictly individual private gardens. The removal of 'garden land' in the adjusted description of previously developed land in PPS3 does not provide a requirement to refuse all such applications, but merely reinforces a local planning authority's hand should it feel the character of the area would be unacceptably denuded by allowing such land to be developed.

6.3.2 A detailed hard and soft landscape design has been submitted and protected trees would be safeguarded during construction/ be capable of retention, with some modest pruning to allow scaffolding to be erected.

6.3.3 The Council's Tree Officer is satisfied with the submitted arboricultural method statement, where protecting can be conditioned in accordance with the submitted statement of working near to these trees.

6.3.4 The density at 72.8 d/ha (compared to the existing density of 81.5 d/ha) actually represents a decrease and is compliant with Policy CS5 of the Core Strategy, which recommends a minimum density between 50-100 d/ha in zones of medium accessibility.

6.3.5 Overall and as concluded visually above, the character of the area would be preserved and in some cases enhanced.

### 6.4 Highways matters

6.4.1 The applicants transport consultant calculates that an additional 4 multi-modal trips will be generated by the development and that the impact of this on the local highways network will be minimal. 25 buses per hour covering 10 different services are available/close to the site giving excellent linkage to amenities/places of employment. The Highways Team does not raise any objections to the proposals on safety grounds. A single, secure and well-surveilled point of access is supported from Oakley Road and adequate sight lines can be provided. Adequate servicing and minimum cycle parking can be provided.

6.4.2 The quantum of car parking at 36 spaces is less than the 42 that could be provided as a maximum. However, regard needs to be had to the purpose of the majority of the dwellings proposed - (to be controlled through the planning agreement by requiring minimum age for occupation at 55 years old) - the proximity of the site to local amenities and the developer's undertaking to manage and monitor Travel Plan in respect of the sheltered flats for a period of five years, with the aim of reducing trips by car by 10%.

### 6.5 Amenity issues and living conditions

6.5.1 A resident of Lawnside Road (cul-de-sac off Clifton Road) has asserted that they would feel more overlooked than currently so. The back wall of their property is some 41m off the application site's closest kitchen windows to two of the active elderly flats. Such distance far exceeds that recommended (21m) in the Residential Design Guide and no loss of amenity is concluded.

6.5.2 The applicant has commissioned an acoustic report. This places the site within Noise exposure Category 'B' of PPG24 in respect of traffic noise to habitable rooms. An appropriate survey of industrial noise emanating from the abutting car repairs/MoT garage in Oakley Road only concludes very sporadic instances of tonal noise associated with

power tools, for example when wheel nuts are loosened/tightened on motor vehicles being serviced. The likelihood of new residents complaining about the garage is considered to be very low. Environmental Health Officers in the Pollution and Safety Team have not raised any objections to the proposals. Subject to securing the suggested mitigation from the acoustic report through planning condition, Officers are satisfied that satisfactory living conditions would result inside habitable rooms.

6.5.3 Regard has been had to the separation distances between habitable room windows and any blank flank walls, both between elements of the proposals and between adjoining dwellings and proposed dwellings. The design of one dwelling has been altered to a bungalow to address the former and a projecting screening device has been added to the general needs flatted block proposed by the adjoining repairs garage, to ensure that no adverse inter-looking can occur between its second floor rear windows and rear windows on detached Victorian villas to the south-east at 135-137 Regents Park Road. A condition will be imposed to require that device to be fitted and retained. Overall, it is therefore concluded that the amenities of adjoining neighbours would be preserved and that good living conditions would be provided to new residents.

## **7.0 Summary**

7.1 The applicant has demonstrated that a well detailed building could justify the loss of the majority of the locally listed buildings, integrate successfully with the retained clocktower building and preserve the area's character through its sensitive courtyard layout. Improvements to the Clifton Road street scene would compensate for some erosion of the Oakley Road street scene. The new active elderly flats block would remain a prominent building on the corner of Clifton Road and Regents Park Road and the retained clocktower building would still allow the ensemble to read as a local landmark.

7.2 An improvement to the city's housing stock and secure living conditions for existing elderly tenants would result, bearing in mind that the elderly, which is an expanding section of the community. New family housing would be provided in within the spirit, if not letter, of Core Strategy Policy CS16.

## **8.0 Conclusion**

8.1 By securing those matters set out in the recommendation, in terms of a planning legal agreement and the conditions listed below, the development is considered to be acceptable.

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

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

1a, 1b, 1c, 1d, 2b, 2d, 4f, 4i, 4k, 5e, 6a, 6c, 6f, 7a, 7b, 7e, 7g, 7k, 7k, 7o, 7t, 7u, 7v, 7w, 9a, 10a and 10b.

**SL2 for 26/10/2010 PROW Panel**

## **PLANNING CONDITIONS**

01. APPROVAL CONDITION - Full permission timing condition - physical works

The development works hereby permitted shall begin not later than three years from the date on which this planning permission was granted.

Reason:

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

02. APPROVAL CONDITION - Archaeological structure-recording [Pre-Commencement Condition]

No development shall take place within the site until the implementation of a programme of archaeological building recording – (to at least Level 4 within English Heritage’s document “Understanding historic buildings. A guide to better recording practice”) - of those 1930’s buildings proposed for demolition has been secured in accordance with a written scheme of investigation, which has been submitted to and approved by the Local planning Authority.

Reason:

To ensure that the recording of the 1930’s buildings proposed for demolition is initiated at an appropriate point in development procedure.

03. APPROVAL CONDITION - Archaeological work programme [Performance Condition]

The developer will secure the completion of a programme of archaeological structural recording and assessment work of the 1930’s buildings proposed for demolition, in accordance with a written scheme of investigation which has been submitted to and approved by the Local planning Authority.

Reason:

To ensure that the archaeological building recording of the 1930’s buildings proposed for demolition is completed.

04. PRE-COMMENCEMENT CONDITION – Salvaging of historic artefacts and re-use on site

Before any demolition of existing buildings is commenced, provision shall be made for the salvaging of historic artefacts on the site including any inscription stones and the obelisk monument for their re-use within the site, in accordance with details to be submitted to and agreed in writing by the local planning authority. Once approved, that scheme of works shall be fully implemented before any new or altered dwelling is first occupied. Once that scheme of works is implemented, those artefacts shall be retained on site at all times thereafter in accordance with the approved scheme.

Reason:

To preserve the historical features of the site, in accordance with City of Southampton Core Strategy Policy CS14 and saved City of Southampton Local Plan Review Policy HE4.

05. PERFORMANCE CONDITION – External materials/constructional detailing

The development shall be built out with the materials specified on the planning application form and in accordance with the panel of material samples submitted by the architect, unless otherwise agreed in correspondence with the local planning authority prior to the demolition of any part of North, Centre and South Courts, where this is deemed feasible by the developer. New plain tiles to be used are of a similar colour, texture and size to any

salvaged plain clay tiles. Once a materials palette has been finalised in correspondence with the local planning authority, the development shall be fully built out using those materials and in full accordance with the 1:20 detailed drawings hereby approved, employing an identical brick bonding (repeating pattern of five courses stretcher bond and single course of header bond) and mortar jointing to the retained Centre Court clocktower building. Curved plain clay tiles shall be used where gablet roofs abut the main roof elements and bonnet plain tiles shall be used at roof hip junctions. The clock within the clocktower shall be renovated and put back into working order and thereafter maintained in working order.

Reason:

To secure a satisfactory form of development and to achieve a good standard of workmanship and detail, having regard to the character and locally listed status of the buildings to be demolished, which are classified as non-designated heritage assets under Planning Policy Statement 5.

#### 06. PERFORMANCE CONDITION – Existing boundary enclosures

All existing dwarf wall and iron railings/gates means of enclosure shall be retained in situ to the Clifton Road and Regents Park Road frontages.

Reason:

To secure a satisfactory form of development and to achieve a good standard of workmanship and detail, having regard to the character and locally listed status of the buildings to be demolished, which are classified as non-designated heritage assets under Planning Policy Statement 5.

#### 07. PRE-COMMENCEMENT/PRE-OCCUPATION/PERFORMANCE CONDITION – Boundary enclosures

Before the development commences, details of all new boundary treatments to Oakley Road, including the vehicular entrance and entrance to the 16 car parking spaces serving the active elderly flats, that part of Clifton Road in front of the existing West Court and any boundary proposed to separate 135 Regents Park Road from the site shall be submitted to and approved in writing by the local planning authority. The decorative iron gates to Oakley Road shall be re-used as part of the boundary treatment within that part of the boundary treatment for Clifton Road. Once agreed, those boundary treatments shall be fully implemented prior to the first occupation of any part of the development, unless any other timing or phasing is agreed in correspondence with the local planning authority. Once constructed, those means of enclosure shall be maintained and retained in situ at all times thereafter.

Reason:

To secure a satisfactory form of development.

#### 08. PERFORMANCE CONDITION – Tree protection

All operations in connection with the development hereby permitted shall comply in full with the method statement included in the Arboricultural Impact Assessment & Tree Survey report by Sapling Arboriculture Ltd (Rev.A) dated the 9<sup>th</sup> August 2010.

Reason



To ensure that provision for trees to be retained and adequately protected throughout the construction period has been made.

09. PERFORMANCE CONDITION - Tree pruning: timing

No vegetation clearance, including pruning of trees, shall take place between 1 March and 31 August unless a method statement has been agreed in writing by the Local Planning Authority and works implemented in accordance with the agreed details.

Reason:

For the safeguarding of nesting birds which are protected by The Wildlife & Countryside Act 1981 (as amended).

10. PERFORMANCE CONDITION - Implementation of submitted hard and soft landscape design

The landscaping scheme shown on the Linda Oak drawing number 889/02 Rev B shall be carried out within twelve months of any of the buildings being ready for occupation. The approved landscaping shall be maintained in accordance with a maintenance schedule to be submitted to and approved in writing by the Local Planning Authority before any planting takes place. Any trees, shrubs, seeded or turfed areas which, within a period of 5 years from the date of planting die, fail to establish, are removed or become damaged or diseased, 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.

Reason:

To ensure a satisfactory form of development.

11. APPROVAL CONDITION - Construction Environment Management Plan (Pre-Commencement Condition)

Prior to the commencement of any development a written construction environment management plan shall be submitted to and approved by the LPA. The plan shall contain method statements and site specific plans to prevent or minimise impacts from noise, vibration, dust and odour for all operations, as well as proposals to monitor these measures at the site boundary to ensure emissions are minimised beyond the site boundary. 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. No construction or building work shall be carried out on the site unless and until there is available within the site, in accordance with details to be submitted to and agreed in writing by the Local Planning Authority, provision for the temporary parking of vehicles and the loading and unloading of vehicles associated with the building and other operations on the site throughout the period of work required to implement the development hereby permitted. All specified measures shall be available and implemented during any processes for which those measures are required.

Reason:

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

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. PERFORMANCE CONDITION – Delivery of plant/construction materials

No deliveries of construction materials or equipment or removal of demolition materials shall take place between the following times Mondays to Fridays - 08.30 to 09.15 hours and 14.30 to 15.30 hours.

Reason:

In the interests of highway safety.

15. PERFORMANCE CONDITION – Noise mitigation

The measures set out in paragraphs 5.7 and 5.8 (i) of the Ian Sharland report dated 4 August 2010, in respect of a glazing specification for all habitable rooms and the use of acoustic trickle vents within window frameworks, shall be fully implemented throughout the development hereby approved, unless any alternative provision is first agreed in correspondence with the local planning authority before it is installed. Once fitted, those acoustic attenuation measures shall be retained at all times thereafter.

Reason:

In order to maintain satisfactory living conditions within habitable rooms, having regard to traffic noise and the proximity of operations within an adjacent Mot car repairs/serving garage and also to minimise the visual impact of vents to the exterior appearance of the new building.

16. PRE-COMMENCEMENT CONDITION – Replacement electricity substation

Notwithstanding Part 17 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), no new electricity sub-station shall be provided/built at the site until the further granting of planning permission by the local planning authority. In particular, the new sub-station shall be acoustically treated by an enclosure and screened from views via the new cul-de-sac to be formed from Oakley Road.

Reason:

To secure a satisfactory form of development in the interests of the visual amenities of the area and to ensure the amenities of new residents close to the new sub-station are safeguarded.

17. 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).

18. APPROVAL CONDITION - Sustainable Drainage Systems (Pre-Occupation Condition)

Prior to the commencement of development a feasibility study demonstrating an assessment of the potential for the creation of a sustainable drainage system on site shall be carried out and submitted to the Local Planning Authority. Any measures shown to be feasible shall be verified in writing by the Local Planning Authority and implemented prior to first occupation of the development hereby granted consent. If the study demonstrates the site has the capacity for the implementation of a sustainable drainage system, a specification shall be agreed in writing with the Local Planning Authority. A sustainable drainage system to the approved specification must be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained thereafter. In the development hereby granted consent, peak run-off rates and annual volumes of run-off shall be no greater than the previous conditions for the site.

Reason:

To conserve valuable water resources, in compliance with and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010) and to prevent an increase in surface run-off and reduce flood risk.

19. 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 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 is demonstrated to be feasible by the study, and 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).

## 20. APPROVAL CONDITION - Road Construction [Pre-Commencement Condition]

No development hereby permitted shall be commenced until the Local Planning Authority have approved in writing:-

- A specification of the type of construction proposed for the roads and footpaths including all relevant horizontal cross-sections and longitudinal sections showing existing and proposed levels together with details of street lighting, signing, white lining and the method of disposing of surface water. These shall include details of the junction between the proposed service road and Oakley Road, where a 'rumble strip' has been indicated on the submitted site layout plan

- A programme for the making up of the roads and footpaths to a standard suitable for adoption by the Highway Authority.

Reason:

To ensure that the roads and footpaths are constructed in accordance with standards required by the Highway Authority.

## 21. PERFORMANCE CONDITION – Sight lines

The lines of sight set out in Appendix B to the submitted Transport Statement: Report 033.00001/TS/2, dated August 2010 shall be provided and maintained before any part of the development is first occupied. Notwithstanding Part 2 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (as amended), no means of enclosure to the back edge of the pavement in Oakley Road shall be erected greater than 0.6m in height, measured from pavement level. Any planting within the sight lines shall not exceed 600mm in height when fully mature.

Reason:

In the interests of highway safety.

## 22. PERFORMANCE CONDITION – Vehicular crossings

Before the development is first brought into use, the developer shall stop up all redundant existing vehicular access points and otherwise adjust the access point in Oakley Road in accordance with the approved site layout plan.

Reason:

In the interests of highway safety.

## 23. PRE-OCCUPATION/PERFORMANCE CONDITION – Details of external lighting

Before any dwelling hereby approved is first occupied the developer shall submit details of external lighting to for the completed project, particularly to the common car parking areas, for approval by the Local Planning Authority in writing. The scheme shall specify that lighting is of flat glass, full cut-off design with horizontal mountings and shall be so designed and sited as to not cause undue glare and light spillage above the horizontal onto neighbouring land/the night sky. No subsequent alterations to the approved lighting scheme are to take place unless such details are submitted to and approved in writing by the local planning authority. Once approved, that scheme of works shall be fully implemented before any new or altered dwelling is first occupied. Once that scheme of works is implemented, that lighting shall be retained on site at all times thereafter in good working order in accordance with the approved scheme.

Reason:

In the interests of crime prevention and highway safety.

#### 24. PRE-COMMENCEMENT CONDITION – Drainage

Before the development commences the developer shall submit details of foul and surface water drainage to serve the development to the local planning authority for its approval in writing, including any measures and proof of approvals obtained from Southern Water to:-

- (a) safeguard the public sewer currently crossing the site during construction; and,
- (b) divert the public sewer, ensuring that no loss of hydraulic capacity results.

Once approved, those works shall be carried out in full accordance with the approved details, before any new or altered dwelling is first occupied.

Reason:

To ensure the site is properly serviced and to prevent flooding off-site.

#### 25. APPROVAL CONDITION – Car/Cycle parking [Pre-Commencement Condition]

A maximum of 35 car parking and a minimum of 21 cycle storage facilities - to include 2 No. disabled parking spaces within the 16 to serve the active elderly flats - to conform to the Local Planning Authorities standards shall be provided within the site before the development hereby permitted commences and such parking and storage shall be permanently maintained for that purpose. In particular, individual sheds, like that shown for plots 11-13 shall be placed in the gardens of the other general needs housing hereby approved for the express purpose of storing at least one bicycle.

Reason:

To prevent obstruction to traffic in neighbouring roads and to encourage cycling as an alternative form of transport.

#### 26. PERFORMANCE/PRE-OCCUPATION CONDITION - Refuse Storage to active elderly flats

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

Internal lighting shall be provided to operate when doors are open, and a tap and wash down gulley shall be provided, with suitable falls to the floor. The access path to the bin store shall be constructed to footpath standards and to be a minimum width of 1.5m. Any gates on the pathway are not to be lockable, unless they comply with SCC standard lock detail. The gradient of the access path to the bin store shall not exceed 1:12 unless suitable anti-slip surfacing is used, and still shall not exceed 1:10. A single dropped kerb to the adjacent highway will be required to access the refuse vehicle with the Euro bin. The refuse store and refuse facilities, detailed in the submitted waste management plan shall be fully provided before any of the active elderly flats hereby approved are first occupied. Once provided, those refuse facilities shall be maintained at all times thereafter.

#### 27. PRE-COMMENCEMENT CONDITION – Refuse provision

Before the development commences, details of how refuse is to be stored and recycled for plots numbered 1-15 and where it will be placed on refuse collection day shall be submitted to the local planning authority for its approval. Once approved, those facilities shall be provided before the first occupation of each of those respective dwellings and retained at all times thereafter.

Reason:

In the interests of amenity

28. PERFORMANCE CONDITION - Amenity space provision

Before any dwelling is first occupied, the amenity space associated with each dwelling or group of dwellings shall be made available for use by all occupants of the flats and thereafter be maintained for that purpose at all times.

Reason:

To provide reasonable and private living conditions.

29. PRE-OCCUPATION CONDITION - Ecological mitigation

Prior to any demolition work commencing 10 temporary 'Bat tubes' as set out in the ecological mitigation measures set out at paragraph 7.1.9 of the Michael Woods Associates report 1973\_R2 dated October shall be provided on site. Once the development is complete, those 'bat tubes' shall be repositioned throughout the development within 2 months of the first occupation of any active elderly flat, in accordance with positioning details to be submitted to and agreed by the local planning authority in writing. Demolition of 5-8 South Court shall only take place between 1<sup>st</sup> November and 28 February in any year that this consent remains extant.

Reason:

In the interests of promoting biodiversity on the site and to mitigate for the loss of a Bat roost identified in the roof void to 5-8 South Court, in connection with safeguarding species protected by The Wildlife & Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010.

30. APPROVAL CONDITION- Unsuspected Contamination [Performance Condition]

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.

31. PERFORMANCE CONDITION – Use clean fill materials

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 occupancy of the site.

Reason:

To ensure no ground contamination risks to human health and the environment are introduced onto the development.

32. PRE-OCCUPATION/PERFORMANCE CONDITION - Prevention of over/interlooking

The two vision obscuring louvres detailed on drawings prefixed 696 PD and numbered 07 Rev B and 16, shall be fully installed before the top flat in plots 11-13 is first occupied. Once fitted, those louvres shall be maintained in place, so as to prevent any over/interlooking of adjacent properties at 135 and 137 Regents Park Road

Reason:

To protect the privacy of occupiers of occupiers of adjoining properties.

Notes to Applicant

1. The Developer is reminded that the site is covered by the Southampton (Regents Park) Tree Preservation Order 1965 and that any other works to protected trees not authorised by this consent identified in the report by Sapling Arboriculture Ltd (Rev.A) dated the 9<sup>th</sup> August 2010, will require the separate consent of the Local Planning Authority.
2. This application has been inspected by Southern Water's agents. Their comments dated 8.9.2010 are attached for the developer's information/action.
3. The developer will require a road opening permit to adjust, stop up or otherwise alter dropped kerbing and vehicle cross-overs in the public highway. Please contact the Council's Partner to make the necessary arrangements on (023) 8038 8048.



**POLICY CONTEXT**

Core Strategy - (January 2010)

CS4	Housing delivery
CS5	Housing density
CS13	Fundamentals of design
CS14	Historic environment
CS15	Affordable housing
CS16	Housing mix and type
CS18	Transport: Reduce-manage-invest
CS19	Car & cycle parking
CS20	Tackling and adapting to climate change
CS22	Promoting biodiversity and protecting habitats
CS23	Flood risk
CS25	The delivery of infrastructure and developer contributions

City of Southampton Local Plan Review – (March 2006)

SDP1	Quality of development
SDP4	Development access
SDP5	Parking
SDP6	Urban design principles
SDP7	Urban design context
SDP8	Urban form and public space
SDP9	Scale, massing & appearance
SDP10	Safety & security
SDP11	Accessibility & movement
SDP12	Landscape & biodiversity
SDP13	Resource conservation
SDP14	Renewable energy
SDP16	Noise
SDP17	Lighting
SDP21	Water quality and drainage
SDP22	Contaminated land
NE4	Protected species
HE4	Local list
CLT5	Open space in new residential developments
CLT6	Provision of children's play areas
H1	Housing targets
H2	Previously developed land
H3	Specialist housing need
H7	The residential environment

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)  
Planning Obligations (Adopted - August 2005 and amended November 2006)

## Other Relevant Guidance

PPS1	Delivering Sustainable Development (2004)
PPS3	Housing (2010)
PPS5	Planning for the historic environment (2010)
PPG13	Transport (2001)
PPG17	Planning for Open Space, Sport & Recreation (2002)
PPS23	Planning & Pollution Control (2004)
PPS22	Renewable energy (2004)
PPG24	Planning & Noise (2004)

### **Core Strategy Policy CS14**

*The Council will **safeguard from inappropriate development** and, where appropriate, **enhance important historical assets and their settings** and the character of areas of acknowledged importance including listed buildings, conservation areas, sites of archaeological importance and their setting and parks and gardens of special historic interest. **The Council will promote the retention of buildings and structures of local architectural or historical importance identified on the Local List.***

### **Policy HE4, Adopted Local Plan, (Saved Policies).**

***Development will be resisted on sites which will involve the demolition or alteration of buildings and structures on the local list. The criteria to be considered in determining a planning application are:***

- (i) **The original design qualities and architectural value of the building to the local area;***
- (ii) **The manner in which the structure or building is illustrative of the local history of the area;***
- (iii) **The way in which the structure or building characterises the local community values;***
- (iv) **The manner in which the building or structure contributes positively to an area through its landmark quality, particularly on an important route within the city, and its contribution to an historic vista or landscape.***

Additionally, the application has been considered in relation to the recently issues Planning Policy Statement (PPS) 5, Planning for the Historic Environment.

Relevant policies from PPS5 are set out below:

***HE7.2 In considering the impact of a proposal on any heritage asset, local planning authorities should take into account the particular nature of the significance of the heritage asset and the value that it holds for this and future generations. This understanding should be used by the local planning authority to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposals.***

***HE7.3 If the evidence suggests that the heritage asset may have a special significance to a particular community that may not be fully understood from the usual process of consultation and assessment, then the local planning authority should take reasonable steps to seek the views of that community.***

***HE7.4 Local planning authorities should take into account:***

***– the desirability of sustaining and enhancing the significance of heritage assets, and of utilising their positive role in place-shaping; and the positive contribution that conservation of heritage assets and the historic environment generally can make to the establishment and maintenance of sustainable communities and economic vitality by virtue of the factors set out in HE3.1***

***HE7.5 Local planning authorities should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials and use.***

***HE7.7 Where loss of significance is justified on the merits of new development, local planning authorities should not permit the new development without taking all reasonable steps to ensure the new development will proceed after the loss has occurred by imposing appropriate planning conditions or securing obligations by agreement.***

HE12.3 Where the loss of the whole or a material part of a heritage asset's significance is justified, local planning authorities should require the developer to record and advance understanding of the significance of the heritage asset before it is lost, using planning conditions or obligations as appropriate. The extent of the requirement should be proportionate to the nature and level of the asset's significance. Developers should publish this evidence and deposit copies of the reports with the relevant historic environment record. Local planning authorities should require any archive generated to be deposited with a local museum or other public depository willing to receive it. Local planning authorities should impose planning conditions or obligations to ensure such work is carried out in a timely manner and that the completion of the exercise is properly secured.

**10/01090/FUL – Thorners Homes Regents Park Road/Clifton Road/Oakley Road**

We are in receipt of Frank Pope's email of yesterday which I know reflects the opinion of those AP members who have been directly involved in appraising this proposal. Frank's point re details is well made and Conditions on materials and details would go some way to controlling the quality. The AP concern however is more fundamental than detail; we believe it relates more to the principle of demolishing what is a building that by rights should be Listed and not replacing it with a building of equivalent quality.

We understand that the council must weigh up all aspects of the application including social and, where necessary, related economic considerations. Whilst we appreciate that the AP offers a service to you the council and that in that sense you are our client, we have a duty to state our position on matters of architectural principle, particularly when they have historic and cultural implications. In this case Frank has pointed out the pre-eminence of Sir Aston Webb. It has also been noted that Webb died prior to completion of the drawings and that his son completed them, however this need not undermine the buildings' importance; the concepts of massing, layout and indeed detail may well have been established at the outset - a feat not difficult for an architect of his stature and experience. The practice had a well established style and at that time could call upon an industry to execute the design that was still craft-based.

It is felt by the AP that the loss of these buildings is not just architectural but also has cultural implications for the city. It feels wrong to rid ourselves of a whole site that is a unique and rare piece of crafted heritage. It lends a scale, design and exemplary level of detail that can be used as a reference point for all future generations to admire and to emulate. This is commonplace to more historic towns and cities and is why so much new architecture in such places is invariably of high quality. It is our view that converting and sensitively extending the building would produce an architecture that kept the original and delicately enhanced it with a contemporary solution. It is impossible for us to give firm views on how this approach would compare financially with the application, but the demolition of buildings that are in good condition, albeit requiring some modernization (services and insulation) is rarely without merit; in this case it seems absolutely appropriate.

It has been said that the building cannot be nationally Listed as its windows have been changed to UPVC. This seems to us to be misguided. The windows are capable of being reinstated and there would be no loss to the fabric of the building in so doing. Its qualities lie in the overall composition of the buildings (and railings as means of enclosure etc) and in the craftsmanship displayed in the choice and handling of brickwork, roofing, rainwater goods and other details. The use of 2" (two inch) thick bricks is so rare as to be worthy of consideration for listing – and their condition is as good as the day they were laid.

I note that the applicants have received comments from your conservation team and that these are largely confined to relatively minor changes to central roof lines and a preference for window surrounds being in brick rather than recon "stone". On this basis the agent is currently preparing 1:20 details of the scheme. It is understood that these will be available prior to the Planning Panel of 26 October. It is noted that the next meeting of the AP is 20 October, a week from today. I expect to attend along with designated and interested colleagues and would appreciate this application being aired again. Clearly if the details were available at that time they would be of interest, although this is not to undermine our concerns about the overall design.

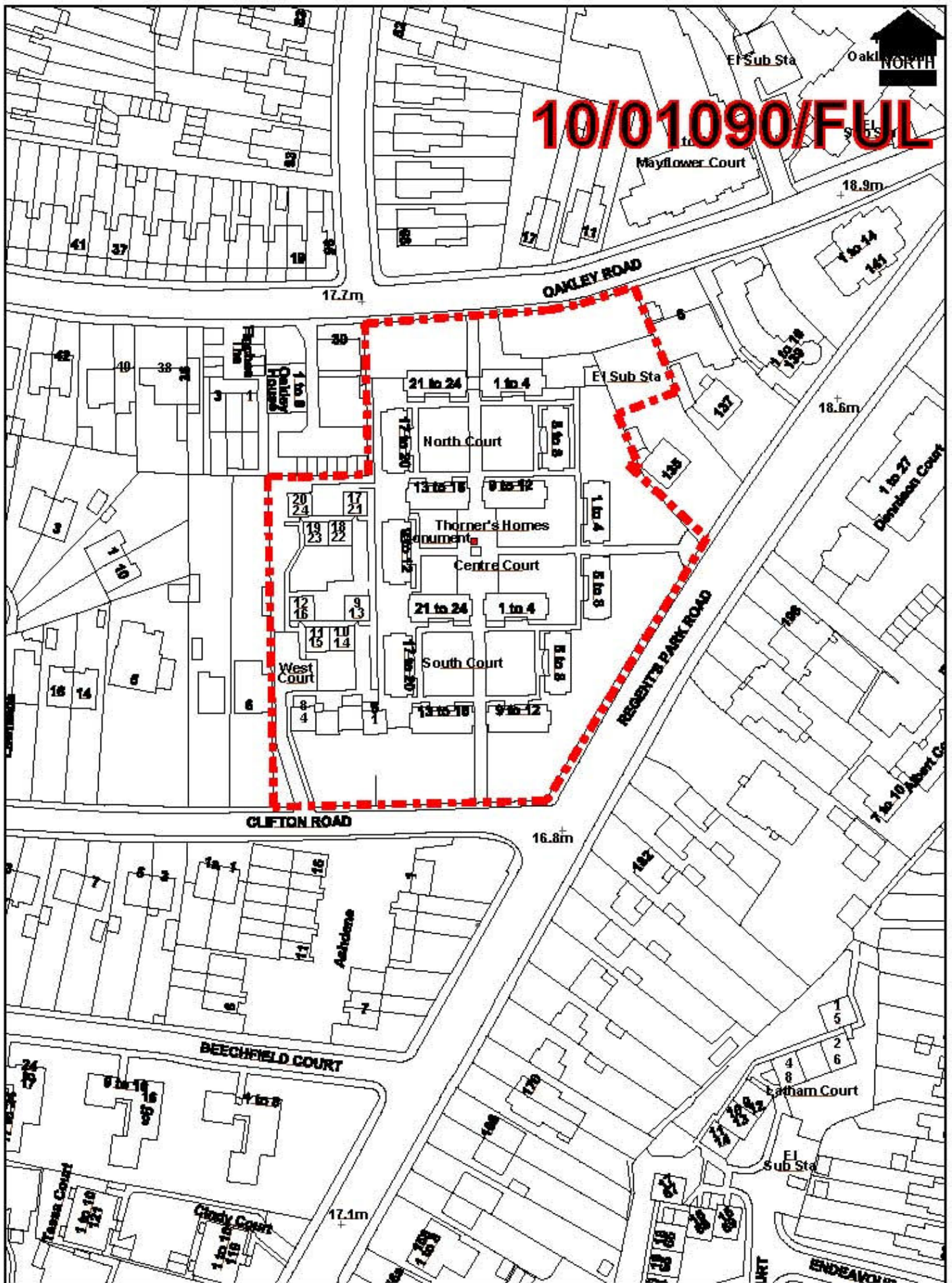
I understand from Sarah Brown at SE Panel with whom I spoke yesterday that their members have been asked to make comments this week (they must operate differently to us) and plan to compose and issue the minutes this Friday 15 October. I also note your advice to me that the verbal synopsis you have had indicates that the SE Panel were inclined not to comment on the proposals, preferring to see the existing building retained. We await with interest the formalising of their views. (For those of us who were unaware of their background I note that the SE Panel is an independent design panel, currently funded by CABE and the HCA, but with no affiliation to either, nor to the RIBA. It began life as part of SEEDA, and its future may be subject to current government funding uncertainties. I have no doubt that its members have proven design ability).

It is possible that the AP may wish to elect a member to speak to the Planning Panel on 26 October; we will advise on this prior to the meeting.

regards

Julian Boswell

Chair; Southampton City Council Architects' Panel



Scale : 1:1250

Date : 13 October 2010

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