

Southampton City Planning & Sustainability
Planning and Rights of Way Panel meeting 21st August 2012
Planning Application Report of the Planning and Development Manager

Application address: Land At junction of Brownhill Way and Lower Brownhill Road			
Proposed development: Erection of 14 two-storey houses (12 x three bedroom and 2 x two bedroom) with associated parking, vehicular access from Lower Brownhill Road and space for a children's play area.			
Application number	12/00596/FUL	Application type	FUL
Case officer	Jenna Turner	Public speaking time	15 minutes
Last date for determination:	23.07.12	Ward	Redbridge
Reason for Panel Referral:	Major application with objections and departure to Development Plan	Ward Councillors	Cllr Whitbread Cllr Pope Cllr McEwing

Applicant: The Trustees Of The Barker Mill Estates	Agent: Turley Associates
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Recommendation Summary	Delegate to Planning and Development Manager to grant planning permission subject to criteria listed in report
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Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan and other guidance as set out below. Other material considerations such as those listed in the report to the Planning and Rights of Way Panel on the 21.08.12 do not have sufficient weight to justify a refusal of the application. The proposal would be in keeping with the site and surrounding properties and would not have a harmful impact on the amenities of the neighbouring properties. Where appropriate planning conditions have been imposed to mitigate any harm identified. In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004, Planning Permission should therefore be granted taking account of the following planning policies:

“Saved” Policies – SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP11, SDP12, SDP13, H1, H2, and H7 of the City of Southampton Local Plan Review - Adopted March 2006 as supported by the adopted LDF Core Strategy (2010) policies CS3, CS4, CS6, CS13, CS15, CS16, CS18, CS19, CS20, CS21, CS22 and CS25 and the Council’s current adopted Supplementary Planning Guidance. The guidance within the National Planning Policy Framework (2012) is also relevant to the determination of this planning application.

Appendix attached	
1.	Development Plan Policies

Recommendation in Full

Subject to the receipt of amended plans showing chimneys to the elevations of the dwellings:

1. 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 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 improvements in the wider area as set out in the Local Transport Plan and appropriate SPG/D;
 - iii. The provision of affordable housing in accordance with adopted LDF Core Strategy Policy CS15.
 - iv. 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. Provision of agreed children's playspace prior to first occupation and submission of a management and maintenance plan for the open space.
2. That the Planning and Development Manager be given delegated authority to add to or vary planning conditions and relevant parts of the Section 106 agreement.
3. In the event that the legal agreement is not completed within two months of the panel meeting 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 application site is a 0.56 hectare piece of land which is broadly triangular in shape and lies between Brownhill Way and Lower Brownhill Road, on the edge of the city's administrative boundary. The site is bounded by mature hedgerow which contains some trees but the site itself is mainly an open grassed area. Beyond the south-west of the site is a pair of semi-detached properties known as New Cottages and an area of protected mature trees. The site was last used for the grazing of livestock and is therefore agricultural land.
- 1.2 The site lies to the north of the Millbrook residential area which typically comprises two-storey, terraced dwellings which are simply designed.

2. Proposal

- 2.1 The application seeks full planning permission for the construction of 14, 2-storey houses. A pair of semi-detached houses would be provided to the eastern end of the site and the remaining houses would be detached in nature. The dwellings would provide a mixture of two and three-bedroom accommodation.

- 2.2 In terms of design, the dwellings would have a traditional appearance with pitched roof and gable end roof design and brick elevations. Each dwelling would be served by a private rear garden.
- 2.3 A single point of vehicular access would be provided from Lower Brownhill Road and two off-road car parking spaces would be provided for every dwelling. The layout would retain the hedgerow to the boundary of the site.
- 2.4 To the northern boundary of the site, a 3 metre high acoustic barrier would be provided and would be positioned inside of the existing boundary screening.
- 2.5 The layout includes a proposed area of public open space to the eastern end of the site and a footpath link between Brownhill Way and Lower Brownhill Road.

3. 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**. The National Planning Policy Framework came into force on 27 March 2012. Paragraph 214 of the Framework sets out that local policies adopted since 2004 retain their full material weight for decision making purposes.
- 3.2 The site is not allocated for a particular use or development within the Development Plan but lies within an area of Low Accessibility for Public Transport (Public Transport Accessibility Level Band 1).
- 3.3 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.
- 3.4 The policies of the South East Plan, Southampton’s Core Strategy and Local Plan Review have been taken into account in the consideration of this application. The Core Strategy is in general conformity with the South East Plan, and it is not considered that the policies in the South East Plan either conflict with or add particular weight to the policies in the Core Strategy for this application. Consequently only the local statutory development plan policies (Core Strategy and Local Plan Review) have been cited in this report.

4. Relevant Planning History

- 4.1 There have been no previous planning applications relating to this site. In 2011 a Screening Opinion was submitted (reference 11/01095/SCR) to ascertain whether or not the residential development of the site would require an Environmental Impact Assessment (EIA). It was concluded that the proposal did not constitute EIA development of more than local significance.

5. 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 (03.05.12) and erecting a site notice (30.04.12). At the time of writing the report 5 representations including a petition with 34 signatures have been received from surrounding residents. The following is a summary of the points raised:

5.2 ***The proposal, along with other planned development within the area, which includes the Lidl distribution depot, would result in a cumulative traffic increase which would exacerbate congestion and highway safety issues.***

5.3 **Response**

The Council's Highway Team have raised no objection to the scheme in this respect. Having regard to the likely vehicular trips associated with the development, it is not considered that the proposal would result in a significant increase in traffic on the surrounding road network. The transport impact of the nearby proposed Lidl distribution depot will need to be assessed as part of that application.

5.4 ***The development would be subject to traffic noise and disturbance and will therefore be undesirable to prospective residents.***

5.5 **Response**

A noise report has been submitted with the application and demonstrates that an acceptable residential environment can be achieved by incorporating an acoustic barrier to the north of the site together with a specification for the glazing of the dwellings. The Council's Pollution and Safety team are in agreement with the submitted report and recommendations. The scheme is therefore considered to be acceptable in this respect. Details of the acoustic barrier design will be secured by condition.

5.6 ***Loss of green space would result in a decline in wildlife, including impact on bat foraging.***

5.7 **Response**

The submitted Ecology reports demonstrates that the grassed area to the centre of the site, on which the proposed development would be sited, has limited ecological value. The hedge to the boundary of the site is of greatest biodiversity value and its retention will ensure no harmful impact on ecology. The Council's ecologist agrees with these conclusions and therefore raises no objection to the scheme.

5.8 ***The proposal would result in an increase in traffic noise disturbance to nearby residential properties.***

5.9 **Response**

As stated above, the proposal is not considered to result in a significant increase in vehicular movements on the nearby roads and as such would not result in harm to residential amenity.

5.10 ***The development would exacerbate drainage issues on the site.***

5.11 **Response**

It is anticipated that a Sustainable Urban Drainage System will be incorporated into the scheme. A condition is suggested to secure final drainage details to

ensure that the proposal would not create drainage issues.

5.12 ***The development is in close proximity to livestock kept at the smallholding of 2 New Cottages which would create noise and odour issues for prospective residents of the development, leading to complaints.***

5.13 **Response**

The proposed houses would be positioned no less than 5 metres from the boundary with New Cottages. As such, the Council's Environmental Health Team have raised no concerns with the proposal in this respect.

5.14 ***Having regard to other planned development within the vicinity of the site, including the Ordnance Survey development, there is no need for the additional housing proposed.***

5.15 **Response**

There is a recognised need for housing within the city and the delivery of family housing is welcomed.

5.16 ***Due to the proximity of proposed dwellings to trees, the proposal will result in result in pressure to cut back these trees.***

5.17 **Response**

There is sufficient separation between the proposed dwellings and the nearby protected trees to ensure that the retention of these trees are not compromised. Habitable room windows and gardens within the development would not be adversely affected by overhanging tree branches. As such, the Trees Team have raised no objection to the proposal.

Consultation Responses

5.18 **SCC Highways** - No objection subject to conditions and the developer entering into a section 106 legal agreement to secure site specific highway safety improvements and contributions to the improvement of the strategic road network.

5.19 **SCC Housing** – There is a requirement to provide 3 affordable housing units and the preference is for this to be provided on site. A planning obligation is recommended to secure the affordable housing units and ensure that they remain affordable in perpetuity.

5.20 **SCC Sustainability Team** – No objection. Suggests conditions to secure the necessary sustainability measures including level 4 of the Code for Sustainable Homes.

5.21 **SCC Architect's Panel** – Suggest that the proposed residential density is too low and the layout/design would benefit from a more intensive form of development. Suggest exploring the internal access being aligned along the northern site boundary.

Response:- Whilst these comments are noted, these changes have not been made as officers support the scheme with a lower density to enable a more open character with open space to be provided.

5.22 **SCC Environmental Health (Pollution & Safety)** - No objection. Suggests a

condition to secure satisfactory glazing to protect the prospective occupants from road transport noise disturbance. Conditions are also suggested to minimise disruption to nearby properties during the construction process.

- 5.23 **SCC Environmental Health (Contaminated Land)** - No objection. The site could be subject to historic land contamination and therefore conditions are suggested to investigate this and secure any necessary remediation.
- 5.24 **SCC Ecology** – No objection. The boundary hedgerow of the provides the greatest biodiversity value of the site and the retention of this will ensure that the proposal does not have a harmful impact on ecology. Two Ecology reports have been submitted and subject to conditions to secure the suggested mitigation measures, the proposal is considered to be acceptable.
- 5.25 **SCC Trees** – No objection. There is a group of protected trees beyond the western boundary of the site and the application details how these would be protected and retained. A condition is suggested to secure tree retention and safeguarding measures throughout the course of the development.
- 5.26 **SCC Archaeology** - No objection. Suggests conditions to secure an archaeological investigation and work programme.
- 5.27 **Hampshire Fire and Rescue** – No objection or conditions suggested.

6. Planning Consideration Key Issues

- 6.1 The key issues for consideration in the determination of this planning application are:
- i. The principle of development and loss of open space;
 - ii. The design of the proposal together with the impact on the character of the area;
 - iii. The impact on residential amenity;
 - iv. The quality of the residential environment proposed;
 - v. The impact on trees and ecology;
 - vi. Parking and highways and;
 - vii. Mitigation of direct local impacts and Affordable Housing.

6.2 Principle of Development and loss of Open Space

6.2.1 Policy CS21 of the Core Strategy safeguards all existing areas of open space within the city. In addition to this, the National Planning Policy Framework prioritises the development of previously developed land. As such, the principle of developing the application site needs careful consideration in terms of its function, landscape and biodiversity value.

6.2.2 Currently, the application site does not provide open space which is accessible to the public. The application proposal does however, incorporate genuine publicly accessible open space which will be secured through the section 106 agreement. The site's limited size, irregular shape and isolated nature, between two roads, means that it has limited appeal for long-term agricultural use. Furthermore, the applicants have indicated that there is also other land available within the Estate which could also be used for this purpose.

6.2.3 The Design and Access Statement submitted with the application includes an

analysis of the wider landscape value of the site which demonstrates that the development of the open space would not, in principle, have a harmful impact on the character of the area. This is discussed in more detail in section 6.3 below. It has also been demonstrated in the application submission that the proposal would not result in harm to either protected trees or the biodiversity value of the site.

6.2.4 Policy CS4 of the Core Strategy sets out the need to deliver housing within the city and moreover, the continual supply of family housing within the context of a difficult economic climate is welcome. In addition to this, the proposal incorporates genuine family housing, the need for which is set out in policy CS16 of the Core Strategy.

6.2.5 A residential density of 35dph would be achieved which is in accordance with the density range set out by policy CS5 for areas of Low Accessibility to public transport. A higher density, as suggested by the Architects Panel, would result in reduced spacing between buildings to the detriment of the established character of the area.

6.2.6 On balance, the benefits of providing genuine publicly accessible open space on the site is considered to justify the loss of private open space in this instance. As such, the Council's Planning Policy Team have raised no objection to the application and the principle of development is therefore considered to be acceptable.

6.3 Design and impact on character of the area

6.3.1 A key aspect of the proposed design approach is the use of a single point of vehicular access into the site from Lower Brownhill Road which enables the retention of the attractive boundary hedge and so protect the verdant character of the site. Furthermore, the hedge will help in significantly screening and softening the appearance of the development when viewed from public vantage points, ensuring that it would not have an adverse impact on the character of the area. The boundary treatment of the development (including the proposed acoustic barrier) would also run on the inside of the boundary hedge. A planning condition is suggested to protect the boundary hedge from removal and to prevent further points of access being created into and out of the site.

6.3.2 The proposal is designed to have a residential density which is at the lower end of the range suggested by the Core Strategy. This ensures that the scheme has a spacious and open character which does not harm the visual amenity of the area, whilst still achieving efficient use of the site. The low density nature of the scheme also enables additional tree planting and an area of public open space to be provided on the site, which are considered to be important characteristics of the scheme. In addition to this, the proposed dwellings would be set well away from the site boundaries to further contribute to a verdant and open character that would ensure the development of this open space is not visually harmful.

6.3.3 The proposed dwellings would be two-storey in scale, which reflects the surrounding residential development. In terms of design, the dwellings would appear well proportioned and their traditional appearance would be in keeping with the wider character of the area. The appearance of dwellings would benefit from the addition of chimneys and amended plans have been sought to resolve this.

6.4 Impact on residential amenity

6.4.1 Having regard to the separation of the proposed dwellings to residential neighbours and the landscape screening of the site, it is considered that the proposal would not have a significant harmful impact on residential amenity.

6.5 Quality of residential environment

6.5.1 A Noise Assessment has been submitted with the application which concludes that the impact of road transport noise on the proposed development can be mitigated against by provided an acoustic barrier to the northern boundary of the site and an appropriate specification of glazing. The Environmental Health Team agree with the conclusions of this report and planning conditions are suggested to secure the mitigation measures.

6.5.2 Each dwelling would be served by sufficient private and useable amenity space and outlook from habitable rooms would be acceptable. There is sufficient space on site to accommodate cycle and refuse storage and conditions are suggested to secure this.

6.5.3 The public routes and areas within the site would benefit from natural surveillance from the proposed dwellings. Each dwelling would benefit from an area of defensible space to the front and parking spaces would also relate well to the dwellings that they serve.

6.6 Impact on trees and ecology

6.6.1 The centre of the site is grassed and clear of mature trees and shrubs and thereby has a low biodiversity value. The boundary hedge of the site has the greatest ecological value including the providing habitat for bat foraging. As such, the retention of the boundary hedge will ensure that the proposal will not have a detrimental impact on the biodiversity of value of the site.

6.6.2 There is a group of protected trees beyond the western site boundary. A Arboricultural report has been submitted with the application and demonstrates that these trees could be retained within the proposed layout and the Tree Team have therefore raised no objection to the application.

6.7 Parking and Highways

6.7.1 The development provides 2 car parking spaces for each dwelling, which is the maximum number of car parking spaces permitted by the adopted Car Parking Standards Supplementary Planning Document. The Highways Team are satisfied that the access into the site would benefit from adequate site lines and that the development would not result in traffic congestion within the wider area. The internal road layout has been designed to accommodate a refuse collection vehicle and enable it to turn on site. The proposal is therefore considered to be acceptable in terms of parking and highways.

6.8 Mitigation of direct local impacts and affordable housing

6.8.1 The development triggers the need for a S.106 Legal Agreement to secure appropriate off-site contributions towards open space, highway infrastructure improvements and affordable housing in accordance with Core Strategy Policy CS25. The applicants have confirmed their willingness to enter into the

necessary obligations to mitigate against the scheme's direct local impacts and have indicated that the required three affordable housing units would be provided on site. Subject to the completion of the legal agreement, the proposal is therefore considered to be acceptable.

7. Summary

7.1 The proposed development would make good use of the site to provide housing and it is considered that there is no demonstrable harm to the development of the open space in terms of use, visual impact or biodiversity. The replacement of private open land with some public open space represents a net benefit of the proposal.

8. Conclusion

8.1 Subject to the imposition of the suggested conditions attached to this report, the proposal would be acceptable. The application is therefore recommended for approval.

Local Government (Access to Information) Act 1985 **Documents used in the preparation of this report Background Papers**

1 (a), (b), (c), (d), 2 (b), (c), (d), 3(a), 4 (f), (vv) 6 (a), (c), (f), (i), 7 (a)

JT for 21/08/12 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 - Details of building materials to be used [Pre-Commencement Condition]

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

Reason:

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

03. APPROVAL CONDITION - Landscaping, lighting & means of enclosure detailed plan [Pre-Commencement Condition]

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

- i. proposed finished ground levels or contours; means of enclosure; public open space details; car parking layouts; other vehicle pedestrian access and circulations areas, hard surfacing materials, structures and ancillary objects (refuse bins, lighting columns etc.);
- 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. an accurate plot of all trees to be retained and to be lost. Any trees to be lost shall be replaced on a favourable basis (a two-for one basis unless circumstances dictate otherwise);
- iv. details of any proposed boundary treatment, including retaining walls; and
- v. a landscape management scheme.

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.

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.

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

04. APPROVAL CONDITION – Retention of Boundary Hedge [performance condition]

The existing hedgerow on the boundaries of the site with Brownhill Way and Lower Brownhill Road shall be retained. No part of the hedge shall be damaged, cut back, cut down, uprooted or removed without the prior written agreement of the Local Planning Authority. In the event of any unauthorised damage to or removal of any part of the hedge occurring, replacement screen planting and/or boundary screening to a specification to be provided by the Local Planning Authority shall be carried out by the owner of the site within six months of the date at which the damage or removal was first brought to the attention of the landowner by the Local Planning Authority.

Reason:

In the interests of the character of the area and the local biodiversity.

05. APPROVAL CONDITION – Permitted Development Restriction – Access [performance condition]

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) no access other than that shown on the approved plan shall be formed to the site.

Reason

In the interests of highway safety and to ensure the retention of the boundary hedgerow in the interests of the character of the area.

06. APPROVAL CONDITION - Glazing - soundproofing from external traffic noise [Pre-Commencement Condition]

Unless otherwise agreed in writing by the Local Planning Authority, the fenestration shall be installed in accordance with the following specification:

Outer pane of glass - 10mm
Air gap between panes - 12mm
Inner pane of glass - 6 mm

or, with secondary glazing with a -

Outer pane of glass - 6mm
Air gap between panes - 100mm
Inner pane of glass - 6.4 mm

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

Reason:

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

07. APPROVAL CONDITION – Acoustic Barrier [pre-commencement condition]

Prior to the commencement of the development hereby approved, full details of the acoustic barrier to be positioned south of the northern boundary hedge, shall be submitted to and approved by the Local Planning Authority in writing. The barrier shall be installed in accordance with the approved details before the development first comes into occupation and thereafter retained as approved.

Reason:

To ensure future occupants are not adversely affected by road transport noise.

08. APPROVAL CONDITION - Ecological Mitigation Statement [Pre-Commencement Condition]

Prior to development commencing, including site clearance, the developer shall submit a

programme of habitat and species mitigation and enhancement measures, [as set out in the submitted Ecology reports] which unless otherwise agreed in writing by the Local Planning Authority shall be implemented in accordance with the programme before any demolition work or site clearance takes place.

Reason

To safeguard protected species under the Wildlife and Countryside Act 1981 (as amended) in the interests of preserving and enhancing biodiversity.

09. APPROVAL CONDITION - Protection of nesting birds [Performance Condition]

No clearance of vegetation likely to support nesting birds 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 species protected by The Wildlife & Countryside Act 1981 (as amended) and the conservation of biodiversity

10. APPROVAL CONDITION – Lighting Scheme [pre-occupation condition]

Prior to the commencement of the development hereby approved, a detailed lighting scheme shall be submitted to the Local Planning Authority and approved in writing. The lighting scheme shall be installed in accordance with the agreed details for the development first comes into occupation and thereafter retained as approved. There shall be no other external lighting on the site otherwise than hereby agreed.

Reason:

In the interests of residential amenity and to prevent disturbance to foraging bats.

11. 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, cycleways 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.
- 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

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

All trees to be retained pursuant to any other condition of this decision notice shall be fully safeguarded during the course of all site works including preparation, demolition, excavation, construction and building operations. No operation in connection with the development hereby permitted shall commence on site until the tree protection as agreed by the Local Planning Authority has been erected. Details of the specification and position

of all protective fencing shall be indicated on a site plan and agreed with the Local Planning Authority in writing before any site works commence. The fencing shall be maintained in the agreed position until the building works are completed, or until such other time that may be agreed in writing by the Local Planning Authority following which it shall be removed from the site.

Reason:

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

13. APPROVAL CONDITION – Foul and Surface Water Disposal [pre-commencement condition]

Prior to the commencement of the development hereby approved, full details of the means of foul and surface water disposal shall be submitted to the Local Planning Authority for approval in writing. The development shall proceed in accordance with the agreed details.

Reason:

To secure a satisfactory form of development.

14. APPROVAL CONDITION – Archaeological Investigation [pre-commencement condition]

No development shall take place within the site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority in writing.

Reason:

To ensure that the archaeological investigation is initiated at an appropriate point in the development.

15. APPROVAL CONDITION – Archaeological work programme [performance condition]

The developer will secure the completion of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority in writing.

Reason:

To ensure that the archaeological investigation is completed.

16. 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.

17. APPROVAL CONDITION- Land Contamination investigation and remediation [Pre-Commencement & Occupation Condition]

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.

18. 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.

19. APPROVAL CONDITION - Use of uncontaminated soils and fill [Pre-Commencement Condition]

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.

20. APPROVAL CONDITION - Refuse & Recycling Bin Storage [pre-commencement condition]

Notwithstanding the information already submitted, details of the elevations of the storage of refuse and recycling shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby approved. The facilities shall include accommodation for the separation of waste to enable recycling. The approved refuse and recycling storage shall be thereafter retained.

Reason:

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

21. APPROVAL CONDITION – Cycle Storage [pre-commencement condition]

Prior to the commencement of the development hereby approved details of the external appearance of the cycle storage shall be submitted to the Local Planning Authority for approval in writing. The development shall proceed in accordance with the approved details and the storage thereafter retained as approved.

Reason:

To promote cycling as an alternative mode of transport to the private car

22. APPROVAL CONDITION - Amenity Space Access [performance condition]

The amenity space areas shown on the plans hereby approved, and pedestrian access to it, shall be made available as amenity space prior to the first occupation of the dwellings hereby permitted and shall be retained with access to it at all times for the use of all occupiers of the development .

Reason:

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

23. APPROVAL CONDITION - Construction Method Statement [Pre-commencement

condition]

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 Statement (CMS) for the development. The CMS 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 CMS 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.

24. APPROVAL CONDITION - Code for Sustainable Homes [Pre-Commencement Condition]

Before the development commences, written documentary evidence demonstrating that the development will achieve at minimum Level 4 of the Code for Sustainable Homes, in the form of a design stage assessment, shall be submitted to the Local Planning Authority for its approval, unless an otherwise agreed timeframe is agreed in writing by the LPA.

Reason:

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

25. APPROVAL CONDITION - Code for Sustainable Homes [performance condition]

Within 6 months of any part of the development first becoming occupied, written documentary evidence proving that the development has achieved at minimum Level 4 of the Code for Sustainable Homes in the form of post construction assessment and certificate as issued by a legitimate certification body, shall be submitted to the Local Planning Authority for its approval.

Reason:

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

26. 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.

POLICY CONTEXT

Core Strategy - (January 2010)

CS3	Promoting Successful Places
CS4	Housing Delivery
CS6	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
CS21	Protecting and Enhancing Open Space
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
NE4	Protected Species
CLT3	Protection of Open Spaces
CLT5	Open Space in New Residential Developments
CLT6	Provision of Children's Play Areas
CLT7	Provision of New Public Open Space
H1	Housing Supply
H7	The Residential Environment
TI2	Vehicular Access

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)

Planning Obligations (Adopted - August 2005 and amended November 2006)

Parking Standards (September 2011)

Other Relevant Guidance

The National Planning Policy Framework 2012