

Southampton City Planning & Sustainability
 Planning and Rights of Way Panel meeting 21 December 2010
 Planning Application Report of the Planning and Development Manager

Application address: 5 Northwood Close SO16 3QJ			
Proposed development: Addition of a new first floor to the existing building to facilitate conversion into 2x3-bed and 3x2-bed flats with associated parking and cycle/refuse storage			
Application number	10/01311/FUL	Application type	FUL
Case officer	Stuart Brooks	Public speaking time	5 minutes
Last date for determination:	17.11.2010	Ward	Bassett
Reason for Panel Referral	Referred by Cllr Fitzhenry	Ward Councillors	Cllr Samuels Cllr Beryl Harris Cllr Hannides

Applicant: Mr Anjuim Moied	Agent: Mr J Foster Rice
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Recommendation Summary	Conditionally approve
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Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. The design and scale of the development responds successfully to the context and character of the immediate area. It results in no net loss of a family home by providing a unit suitable for family occupation with an additional mix of housing types, which make a positive contribution to the mix of housing available within this location. It also provides an appropriate residential environment for future occupants of the site without adversely affecting the residential amenity of neighbouring dwellings. The nature and scale of these changes are not considered to be significant material changes to the original proposal. The additional material issues raised with regards to the changes associated with the amended plans which were to the external appearance and internal layout of the building are not considered to have sufficient weight to justify refusing the planning application. Other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004 Planning Permission should therefore be granted.

'Saved' Policies - SDP1, SDP5, SDP7, SDP9, H1, H2, H7, of the City of Southampton Local Plan Review - Adopted March 2006 as supported by the adopted LDF Core Strategy (2010) policies CS4, CS5, CS13, CS16, CS19, and CS20 and the Council's current adopted Supplementary Planning Guidance. National Planning Guidance contained within PPS1 (Delivering Sustainable Development) and PPS3 (Housing 2010) are also relevant to the determination of this planning application.

Appendix attached			
1	Development Plan Policies	2	Summary of issues by representations raised following reconsultation period

Recommendation in Full - Conditionally approve

1.0 Background

1.1 At its 23rd November 2010 meeting, the Panel resolved to delegate authority to the Planning & Development Manager to grant conditional planning permission for the proposal in its amended form, subject to no new material considerations being received following the 14 day re-consultation period. It has been concluded that some new issues have been raised and so the matter has been referred back to the Panel so these new issues can be assessed by the Panel.

1.2 This re-consultation was required as negotiations with the applicant had resulted in amended plans being received on 18th November for a lesser form of development. The building envelope has not been expanded. Changes have only been made to the external appearance and internal layout of the building. These changes were discussed by members at the 23rd November Panel meeting.

1.3 The level of accommodation to be provided has been reduced from 5 to 4 flats. Local residents were notified and the application was re-consulted on 18th November for 14 days which included notifying adjoining and nearby landowners (including those who previously made representations).

1.4 New material considerations have been received via further representations. Each issue raised has been assessed as to whether it has sufficient weight to justify a refusal of the application. The issues that are considered to be new and material have been set out in **paragraph 6.6** but a summary of all the representations made in relation to the re-consultation have been tabled in **Appendix 2** for completeness.

1.5 In summary, new material issues should be further considered by the Panel. As such, the 23rd November 2010 Panel report has been updated to reflect the change to the description of development and the new material considerations.

2.0 The site and its context

2.1 The application site lies immediately south of Bassett Green Road at the northern end of Northwood Close in a predominantly residential area, comprising of a split level 1 and 2 storey residential property (integral garage at the sub level) in a large residential plot.

2.2 It is accessed by a sloping gravel driveway with a large attractive landscaped garden and mature trees subject to the Southampton (Bassett Wood North) Tree Preservation Order 1960, including a significant Redwood and Cedar.

2.3 The existing building appears as one storey facing Bassett Green Road, which is well screened from that street by a tall close boarded fence and mature tree cover. The view from Northbrook Close is restricted, being higher in level to the rear of the site.

2.4 Northwood Close is characterised mainly by two storey residential properties in spacious plots, with no uniform architectural style variously extended since their erection in the 1960s, accessed by sloping driveways and paths amongst dense tree and vegetative cover.

3.0 Proposal

3.1 To erect an additional storey above and extend the front wall within the building footprint by infilling the recessed porch space to facilitate the conversion of the enlarged property into 1x3-bed and 3x2-bed flats with associated internal parking and cycle/refuse storage whilst retaining the landscaping and protected tree features, with four existing trees to be removed (Crab Apple, Magnolia, Common Elder and Lawson Cypress). Five off road parking spaces are to be provided.

4.0 Relevant Planning Policy

4.1 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**.

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

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

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

4.5 Policy CS16 promotes the increased provision of new homes suitable for families and also prevents the net loss of family dwellings on redevelopment / conversion sites where planning permission is required. If a redevelopment of a site or conversion of an existing house into self contained units involves the loss of family homes, at least the same number of such properties needs to be replaced as part of the overall redevelopment / conversion scheme (paragraph 5.2.11 refers).

4.6 The revised PPS3: Housing (2010) maintains that design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted (Paragraph 13 refers).

5.0 Relevant Planning History

5.1 None.

6.0 Consultation Responses and Notification Representations

6.1 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, and erecting a site notice (30.09.2010). At the time of writing the report **11** representations have been received from surrounding residents and a petition

with 46 signatures objecting to the proposal in response to the originally advertised proposal.

6.2 The following observations/comments were made:

6.2.1 The form and style of the proposed building will not be in keeping with the prevailing visual character in the local area, appearing as a 3 storey building viewed from Northwood Close with a taller roof line which is out of context with other properties the local area.

RESPONSE - Due to the split level nature of the site which is well screened by the level of tree and vegetative cover and change in ground levels will appear in form as 2 storey building and therefore not significantly change the visual character of Northwood Close and Bassett Green Road. The composition of external materials used including the style of windows can be agreed prior to commencement of development.

6.2.2 There will be a lack of off street parking provided for the number of residents who may own a car, which will lead to overspill parking in nearby streets adding to existing highway safety problems caused by other developments in the local area. The property is currently in multiple occupation which causes problems in terms of car parking which will exacerbated by increasing the number of occupants.

RESPONSE - Highways DC has raise no concerns to the impact on highway safety. There is no minimum requirement for off street parking required to serve the residential development under SCC planning policy. There are no parking restrictions in the street.

6.2.3 The residential lighting scheme (mentioned in the Design and Access Statement under 'Safety and Security') is out of keeping with the security level required and excessively light the plot in area which has an extremely low crime rate.

RESPONSE – The applicant is seeking to enhance security through the use of strategic distributed lighting around the car parking spaces. The details of external lighting can be agreed with the Council prior to development taking into account the interests of visual character of the local area, living conditions of neighbouring and future occupiers.

6.2.4 The increased activity from future residents using the communal amenity space will cause noise and disturbance to existing residents who live in a quiet residential area.

RESPONSE - The standards set out for private amenity space under the Council's 'Residential Design Guide' encourages the provision of suitable locations for sitting outside in sun and in shade, planting beds, hanging out washing and barbecues (p60, paragraph 4.4.4 refers). Providing that this space is used by the future residents for purposes incidental to the enjoyment of the dwellinghouse, there will be no significant impact from noise and disturbance to the amenity of neighbouring occupiers and local residents.

6.2.5 The proposal will relate to the felling of trees in area to be retained for the purposes of keeping the visual character of Bassett.

RESPONSE - There is no objection raised by the SCC Tree Team to the works detailed in the Arboricultural Statement by CBA Trees, as the proposal has little or no adverse effect on the health and retention of the important trees on site.

6.2 **SCC Highways DC** - No objection subject to relocating the proposed cycle store.

6.3 **SCC Sustainability Team** - No objection raised subject to incorporating necessary sustainability measures.

6.4 **Southern Water** – No objection raised subject to submitting a formal application to Southern Water to connect to the public sewer. The adequacy of soakways to dispose of surface water is to be approved under Building Regulations.

6.5 **SCC Tree Team** – No objection. Following minor pruning works (which are considered necessary) the relationship between the closest tree and dwelling is acceptable.

6.6 Following the receipt of amended plans on 18th November a publicity exercise was undertaken for 14 days, which included notifying adjoining and nearby landowners (including those who previously made representations). At the time of writing the report 17 further representations have been received from surrounding residents.

6.6.1 Photographs did not clearly consider the property in relation to the appearance and scale of neighbouring properties.

RESPONSE - The photographs are only a guide to the members in assessing the application. The members of the Panel are able to visit the site and have the plans available to make the assessment.

6.6.2 The applicant has converted the property at 7 Northwood Close into a HMO which is already causing problems in terms of overspill parking on Bassett Green Drive and Northwood Close. The panel members were not aware of the installation of bollards on the highway verges along Bassett Green Drive to prevent illegal parking on the verge.

RESPONSE - The concerns regarding 7 Northwood Close being converted into a HMO has been referred to the Enforcement Team for investigation. SCC Highways Department confirmed on 6th December 2010 that local residents have complained about parking problems in Bassett Green Drive and Northwood Close including parking on grass verges. However, the advice from the Highways team remains that there is no highway objection to the scheme as it meets the parking standards.

6.6.3 Flat 3 is intended to be a 3 bed unit.

RESPONSE - The applicant confirmed in the email dated 22nd November 2010 that Flat 3 is intended to be a 2 bedroom unit and gave consent for the LPA to update the plans for the avoidance of doubt. Condition 17 has been applied to prevent the intensification of this unit.

6.6.4 The 3 bed unit can be used for multiple occupation.

RESPONSE - This would not require planning permission, however, permitted development rights have been removed to change from C3 to C4 use under condition 22.

6.6.5 Intensification of traffic movements will affect amenity of local residents.

RESPONSE - Amended scheme is a lesser form of development. The space for on site parking area can be re-landscaped to reduce its size to minimise additional opportunity for parking by residents beyond the maximum 6 spaces required by the SCC parking standards.

6.6.6 The basement area rooms 1 and 5 can be used for accommodation.

RESPONSE - These spaces in the basement are designated habitable, however, a condition can be applied to prevent the use of these internal spaces by the residents, if Panel members believe this is necessary. An update will be given at panel on the state of these spaces.

6.6.7 The statement by the applicant that the property is occupied as a HMO is contrary to the electoral register. The Panel members did not have sufficient information about the occupation of the existing building, which is crucial in comparing the current and proposed uses and impact on residents.

RESPONSE - The applicant has a duty to submit accurate information with the planning application. It is also the duty of the applicant as the owner of the property to ensure that the electoral register is completed accurately. Following discussion, the Environmental Health Team reported on 6th December 2010 that no noise and disturbance complaints have been received from local residents. However, the decision is based on what the proposal will be used for rather than what it is currently used for.

6.6.8 Conflicting differences with amended plans and Officer's presentation which gave incomplete information.

RESPONSE - The Planning Officer's report and assessment was based on the original plans submitted. The amended plans were shown and updates given to reflect these changes.

6.6.9 Ease of access for emergency vehicle.

RESPONSE - The Highway Officer has no objection. The lesser form of development will have less of an impact on highway safety.

6.6.10 Refuse Management and Storage affecting Northwood Close.

RESPONSE - The Highway Officer has no objection. There will be a maximum requirement of 3 x 360l bins, and there would be adequate space within the designated collection point to store the bins without causing a disruption to traffic.

6.6.11 There will be the risk of crime due to creating less natural surveillance and more dark spaces.

RESPONSE - Security lighting can be fitted in appropriate location which operates by motion sensors. Details can be agreed under a condition prior to development/occupation. The amended proposal is not considered to increase risk of crime and therefore is not contrary to the requirements of policy SDP10.

6.7 **SCC Highways DC** - No objection.

7.0 Planning Consideration Key Issues

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

The principle of development;
Design;
Residential Amenity;
Access and Parking arrangements;
Sustainability;

7.2 Principle of Development

7.2.1 The proposal will intensify the use of the existing residential property without enlarging the existing footprint of the building. In principle, there is no objection under PPS3: Housing to intensify this previously developed land for further residential use. This is subject to increasing sustainable, inclusive and mixed communities and delivering well designed housing in suitable locations. In addition, using land efficiently is still a key consideration in planning for housing (paragraph 45 of PPS3 refers). Good design and layout of new development can lead to a more efficient use of land without compromising the quality of the local environment.

7.2.2 The site is located within a low accessibility area. The proposed density level of 25 dwellings per hectare accords with policy CS5 of the adopted Core Strategy which advocates densities of 35-50 dwellings per hectare in low accessibility areas. The supporting text of this policy states that intensification and higher densities will be appropriate in some areas of the city in order to make best use of the land. It is judged that the application site can accommodate the proposed density of development within the footprint of the existing building without compromising the residential amenity of neighbouring dwellings or future occupants of the site.

7.2.3 The applicant has stated the established use to be a HMO, however, the SCC 1st December 2009 Electoral Register only shows one person to be in occupation which infers the lawful use of the property on 6th April 2010 is C3 dwelling. The proposal will comply with the requirements of Policy CS16, as this will result in no net loss of family homes by providing one ground floor 3 bedroom unit with direct and exclusive access to enclosed private amenity space of 50 square metres. Furthermore, the development will provide a mix of dwelling types and encourage more sustainable and balanced communities, which is an improvement on the quality of the residential environment being created by replacing the HMO with purpose built self contained flats.

7.3 Design

7.3.1 The external changes as shown on the amended plans simplify the overall appearance of the building to relate the original style of the property and the established character of properties in Northwood Close. Due to the split level nature of the site which is well screened by the level of tree and vegetative cover and change in ground levels the resulting building will appear as akin to a 2 storey building in form and therefore not significantly harm the visual character of Northwood Close and Bassett Green Road. The composition of external materials used including the style of windows can be agreed prior to commencement of development.

7.4 Residential Amenity

7.4.1 The residential environment for future occupiers is considered acceptable. The current garden layout will be unchanged which is attractively landscaped. Flat 1 (ground floor 3 bedroom unit) will have direct access to enclosed private amenity space of 90 square metres, and Flat 2 (ground floor 2 bedroom unit) will have direct access to enclosed private amenity space of 100 square metres, and other units will have convenient access to the rest of the communal space. The quality and quantity of amenity space provided for the future occupiers in terms of privacy and useable garden space (209 square metres which is well in excess of 100 square metres required) will accord with the RDG standards.

7.4.2 The applicant has confirmed on 22nd November 2010 that the floor plan title showing Flat 3 as a three bedroom is incorrect, and this has been corrected on the plans to be 'two'. Condition 17 has been applied to prevent the further intensification of the accommodation type.

7.4.3 The front of the existing building is in close proximity to significantly important trees to be retained. The natural light serving the front aspect rooms will create acceptable living conditions for future occupiers though minor tree works by lifting the crown 10 metres as stated in the CBA Arboricultural Statement, subject to approval by the SCC Tree Team in a separate TPO application. As a whole, it is considered that all habitable rooms are served by natural light and ventilation. Convenient access to the amenity space and refuse/cycle storage is provided.

7.4.4 Having regard to the form of the scale and massing of the proposed building and no enlargement to the existing footprint in relation to the separation distance with the closest habitable spaces of neighbouring properties, the residential amenity of the neighbouring occupiers will not be adversely harmed in terms of on loss of privacy, outlook and loss of light.

7.5 Access and Parking arrangements

7.5.1 The SCC Highway DC Officer has raised no objection to the impact on highway safety. There is not a minimum requirement for off street parking to serve the residential development under adopted SCC planning policy. The maximum standards dictate that there shall no be more than 7.5 spaces serving all accommodation in accordance with saved policy SDP5 of the Local Plan Review. There is already sufficient hard surfaced space available on site to allow safe ingress and egress of up to 5 vehicles.

7.5.2 The SCC Highway DC has requested that the proposed cycle store is relocated closer to a more secure location for better natural surveillance from the main building with space for at least 5 cycles, which can be secured under pre-commencement condition.

7.5.3 There will be a maximum requirement of 3 x 360l bins, and there would be adequate space within the designated collection point to store the bins without causing a disruption to traffic.

7.6 Sustainability

7.6.1 The Sustainability Officer has not required the applicant to meet Code for Sustainable Homes Level 3, however, a range of sustainable measures in accordance with policy CS20 of the Core Strategy should be agreed prior development starting.

7.6.2 To further meet this policy's requirements for new development to achieve a 20% reduction in CO₂ emissions appropriate conditions have been recommended.

8.0 Summary

8.1 The current proposal has been judged to make a positive contribution to the city's housing stock, whilst making the best use of land available. The development of the site and the increase in the density of dwellings is not considered harmful to the context or character of the surrounding area.

9.0 Conclusion

9.1 The application has been assessed as being acceptable to residential amenity and its local context. The nature and scale of the changes in the amended plans are not considered to be significantly material in difference to the original proposal. Following reconsultation of amended plans with SCC Highways DC, the additional issues raised are not considered to have sufficient weight to justify refusing the planning application and therefore the Officer's recommendation is for conditional approval.

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

1(a), 1(b), 1(c), 1(d), 2(b), 2(d), 6(c), 6(i), 7(a), 7 (e), 10(a), 10(b).
SB for 21/12/10 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 - Approved Plans

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

Reason:

For the avoidance of doubt and in the interests of proper planning.

03.APPROVAL CONDITION - Specific material and surface details to be submitted [Pre-Commencement Condition]

Full details of the manufacturers, types and colours and finished treatments (with samples if required by the Local Planning Authority) of the external materials to be used, including all new glazing, and details of the ground surface treatments formed and provided as part of the development, shall be submitted to and approved by the Local Planning Authority before development commences.

Reason:

In order to control the appearance of the development in the interests of visual amenity.

04.APPROVAL CONDITION - Amenity Space Access [Pre-Occupation Condition]

The external amenity space serving the development hereby approved, and pedestrian access to it, shall be made available as a communal area prior to the first occupation of the development hereby permitted and shall be retained with access to it at all times for the use of the flat units numbered 3 and 4, except for the external private amenity spaces allocated to the flat units numbered 1 and 2 in accordance with the approved plans received by the Local Planning Authority on 18th November 2010.

REASON:

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

05.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, for approval in writing by the local planning authority, which includes:

- i. car parking layouts; other vehicle pedestrian access and circulation areas;
- ii. hard surfacing materials, structures and ancillary objects (refuse bins, lighting columns etc.);
- iii. details of any proposed means of enclosure/boundary treatment, including retaining walls.

The approved details for the whole site shall be carried out prior to occupation of the building and thereafter be retained whilst the building is used for residential purposes.

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 (as amended).

06.APPROVAL CONDITION - Tree Retention and Safeguarding [Performance Condition]

All operations in connection with the development hereby permitted shall comply in full with the method statement included in the Arboricultural Development Statement by CBA Trees dated the September 2010 and drawing no. CBA7205.04 dated July 2010 contained therein.

Reason

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

07.APPROVAL CONDITION - no storage under tree canopy [Performance Condition]

No storage of goods including building materials, machinery and soil, shall take place underneath the crown spread of the trees to be retained on the site. There will be no

change in soil levels or routing of services through tree protection zones or within canopy spreads, whichever is greater. There will be no fires on site. There will be no discharge of chemical substances including petrol, diesel and cement mixings within the tree protection zones or within canopy spreads, whichever is greater.

Reason:

To preserve the said trees in the interests of the visual amenities and character of the locality.

08.APPROVAL CONDITION - Overhanging tree loss [Performance Condition]

For the duration of works on the site no trees on or overhanging the site shall be pruned/cut, felled or uprooted otherwise than shall be agreed in writing by the Local Planning Authority. Any tree removed or significantly damaged, other than shall be agreed, shall be replaced before a specified date by the site owners /site developers with two trees of a size, species, type, and at a location to be determined by the Local Planning Authority.

Reason:

To secure a satisfactory setting for the proposed development and to ensure the retention, or if necessary replacement, of trees which make an important contribution to the character of the area.

09.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).

10.APPROVAL CONDITION - Sustainable measures [Pre-Commencement Condition]

No development shall take place until the applicant has provided to the Local Planning Authority for approval in writing a report assessing the feasibility of incorporating the following sustainable design measures into the development:

- Energy minimisation and renewable energy or low carbon technologies
- Water efficiency measures
- Urban Drainage Systems
- Waste management and recycling
- Sustainable construction materials

The report shall include an action plan detailing how these measures will be integrated into the development. The approved scheme shall then be provided in accordance with these details prior to the first occupation of the development hereby granted consent.

REASON:

To ensure the development minimises overall demand for resources and is compliant with the City of Southampton Core Strategy Development Plan Document (January 2010) policy CS20 and the City of Southampton Local Plan (March 2006) policies SDP13 and SDP6.

11.APPROVAL CONDITION - Surface / foul water drainage [Pre-commencement Condition]

No development approved by this permission shall commence until a scheme for the disposal of foul water and surface water drainage have been submitted to and approved in writing by the Local Planning Authority and no building shall be occupied unless and until all drainage works have been carried out in accordance with such details as approved by the Local Planning Authority and subsequently implemented and maintained for use for the life of the development.

Reason:

To ensure satisfactory drainage provision for the area.

12.APPROVAL CONDITION - Storage / Removal of Refuse Material [Pre-Occupation Condition]

The development hereby approved shall not be occupied until the provision has been made in accordance with the approved plans for refuse and recycling storage accessible with a level approach has been provided including accommodation and provision of separate bins for the separation of waste to enable recycling and shall thereafter be retained whilst the building is used for residential purposes.

Reason:

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

13.APPROVAL CONDITION - Cycle parking [Pre-Occupation Condition]

The development hereby approved shall not be occupied until provision has been made within the site in accordance with approved plans for covered, enclosed and secure bicycle parking to provide for a minimum of 4 bicycles with the installation of Sheffield style stands and such space shall not thereafter be used other than for the purposes for which it is provided.

Reason:

To accord with sustainable transport policy aimed at providing a choice of travel mode available for the staff of the premises by enabling adequate provision of a facility which is likely to reduce the amount of vehicular traffic on existing roads.

14. APPROVAL CONDITION - Access to Bassett Green Road [Pre-Occupation Condition]

The development hereby approved shall not be occupied until details have been submitted and agreed in writing with the Local Planning Authority to stop up the existing access onto Bassett Green Road , which shall then be implemented in accordance with the agreed details, before any of the dwellings hereby approved are first occupied. No other means of access shall be provided to the site other than the existing access from Northwood Close.

Reason:

In the interests of providing a secure residential environment for the future residents, and protect the highway safety of the users of Bassett Green Road.

15.APPROVAL CONDITION - Glazing panel specification [Pre-Occupation Condition]

The window in the side elevation of flat 3 hereby approved [to the room indicated as bathroom] shall be glazed in obscure glass and shall only have a top light opening. The window as specified shall be installed before the development hereby permitted is first occupied and shall be permanently maintained in that form.

Reason:

To protect the privacy enjoyed by the occupiers of the adjoining property.

16.APPROVAL CONDITION - replacement trees [Performance Condition]

Any trees to be felled pursuant to this decision notice will be replaced with species of trees to be agreed in writing with the Local Planning Authority at a ratio of two replacement tree for every single tree removed, unless it is agreed otherwise with the Local Planning Authority that there are sound arboricultural management reasons for not replacing trees on that basis.

The trees will be planted within the site or at a place agreed in writing with the Local Planning Authority. The Developer shall be responsible for any replacements for a period of 5 years from the date of planting. The replacement planting shall be carried out within the next planting season (between November and March) following the completion of construction. If the trees, within a period of 5 years from the date of planting die, fail to establish, are removed or become damaged or diseased, they will be replaced by the site owner / site developer or person responsible for the upkeep of the land 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 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 (as amended).

17.APPROVAL CONDITION - Accommodation mix

The mix of accommodation hereby approved shall remain as shown on the approved plans, and at no time shall the number of bedrooms in each unit shall be intensified. In particular, Flat 3 shall only have a maximum of 2 bedrooms in accordance with the applicant's email dated 22nd November 2010.

Reason:

Because Policy CS16 of the City of Southampton's Core Strategy (January 2010) requires 3 bedroomed dwellings to have direct access to their own private amenity space, which cannot be provided for flat 3 and also in the interests of protecting the residential amenity of the neighbouring occupiers from intensified use of the site.

18.APPROVAL CONDITION - Contractors' Compound (Pre-Commencement Condition)

No commencement of work pertaining to this permission shall be carried out on the site unless and until there is available within the site, provision for all temporary contractors buildings, plant and storage of materials associated with the development and such provision shall be retained for these purposes throughout the period of work on the site; and the provision for the temporary parking of vehicles and the loading and unloading of vehicles associated with the phased works and other operations on the site throughout the period of work required to implement the development hereby permitted in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.

Reason:

To avoid undue congestion on the site and consequent obstruction to the access in the interests of road safety.

19.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. 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 and trees covered by the Tree Preservation Order covering the site.

20.APPROVAL CONDITION - Wheel Cleaning Facilities [Pre-Use Condition]

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

Reason:

In the interests of highway safety.

21.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

22. APPROVAL CONDITION - C3 use [Performance Condition]

The development hereby approved shall only be occupied in accordance with Class C3 (dwelling house) of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010, which amends part 3 of the Town and Country Planning (General Permitted Development) Order 1995.

Reason

To accord with policy CS16 of the adopted Core Strategy (January 2010) and in the interests of protecting existing residential amenity and the opportunity for family homes with the City.

POLICY CONTEXT

Core Strategy - (January 2010)

CS4	Housing Delivery
CS5	Density
CS13	Fundamentals of Design
CS16	Housing Mix and Type
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change

City of Southampton Local Plan Review – (March 2006)

SDP1	Quality of Development
SDP5	Parking
SDP7	Urban Design Context
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP12	Landscape & Biodiversity
H1	Housing Supply
H2	Previously Developed Land
H7	The Residential Environment

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)

Other Relevant Guidance

PPS1 Delivering Sustainable Development (February 2005)

Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 (December 2007)

PPS3 Housing (2010)

Summary of issues by representations raised following reconsultation period	
Context of Local Area	Response
Out of context of established pattern of development in Northbrook Close given the density of properties which are occupied by a single family	This density of development is appropriate for a low accessibility area and not contrary to the requirements of policy CS5, whilst making efficient and effective use of land. This issue has been reported in the previous panel report in paragraphs 3.4 and 6.2.2, and was discussed by members at the previous panel meeting and therefore is not new material consideration.
Design	Response
There are no specific details to show the proposed height of the new roof line in relation within the context of neighbouring properties.	This was discussed by members at the previous panel meeting and therefore is not new material consideration.
The scale and height of the building will be 3 storeys and out of character with the established pattern of development in Northwood Close.	This was discussed by members at the previous panel meeting and therefore is not new material consideration.
Photographs did not clearly consider the property in relation to the appearance and scale of neighbouring properties.	The photographs are a guide to the members in assessing the application.
Access and Parking arrangements	Response
Accessibility to Public Transport	This was discussed by members and commented by the Highway Officer at the previous panel meeting and therefore is not new material consideration. The Highway Officer stated that the area is located within a 'low accessibility' part of the city, where the frequency of buses is less than 10 per hour and the distance to the closest bus stop is more than 400m.

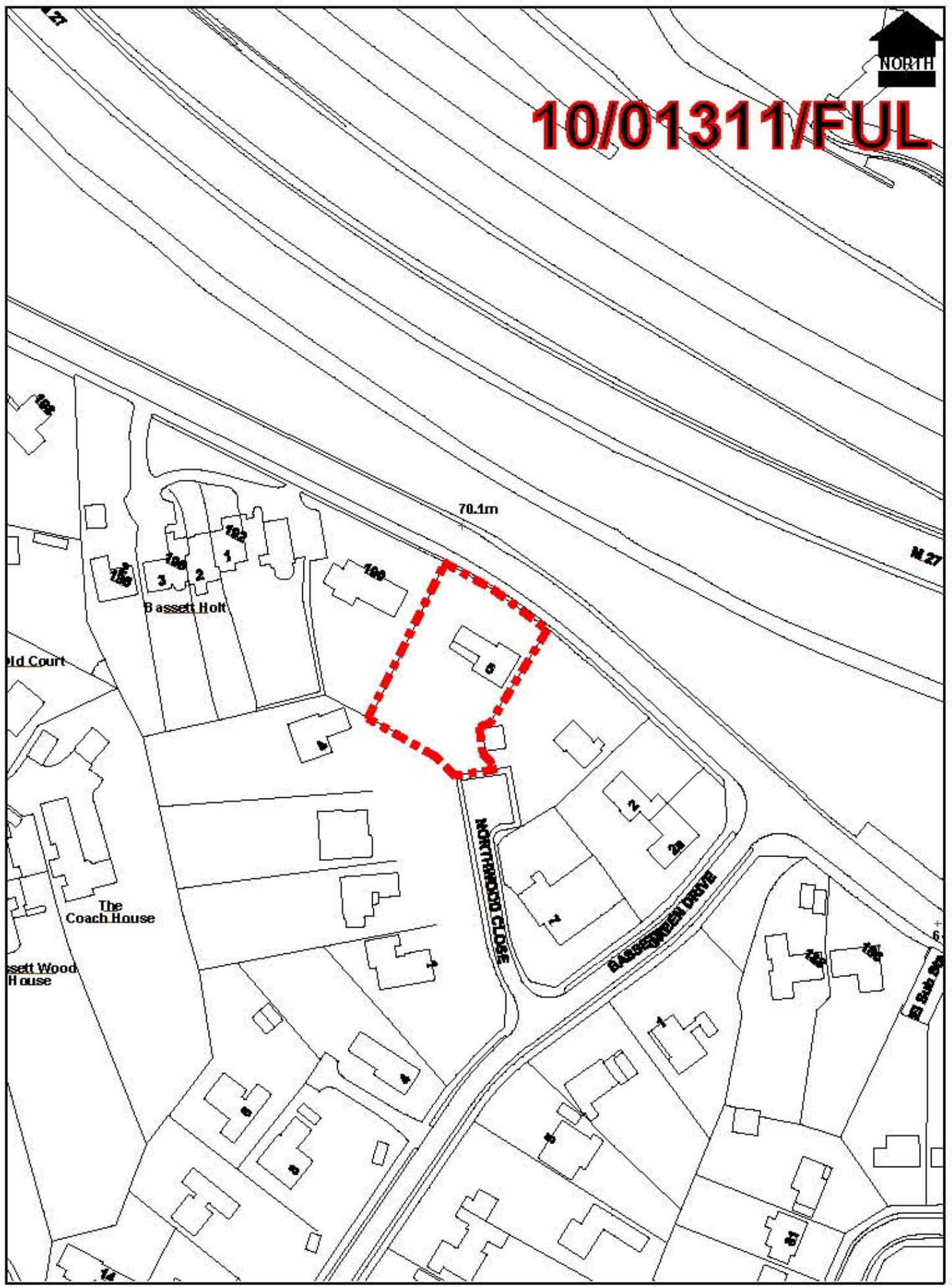
Ease of access for emergency vehicle	The Highway Officer has no objection. The lesser form of development will have less of an impact on highway safety.
Refuse Management and Storage affecting Northwood Close	The Highway Officer has no objection. There will be a maximum requirement of 3 x 360l bins, and there would be adequate space within the designated collection point to store the bins without causing a disruption to traffic.
Closure of pedestrian access to Bassett Green Road, and this is contrary to condition 12 of the Panel Report, and will reduce the flexibility of access for residents.	The Highway Officer has no objection. Condition 12 can be amended. Northwood Close is suitable for safe and convenient access for the residents.
Access to the property in icy conditions	This is not considered to be a material planning consideration as weather conditions are a natural events outside the control of the planning system.
The applicant has converted the property at 7 Northwood Close into a HMO which is already causing problems in terms of overspill parking on Bassett Green Drive and Northwood Close. The panel members were not aware of the installation of bollards on the highway verges along Bassett Green Drive to prevent illegal parking on the verge.	The Highway Officer has no objection. The lesser form of development will have less of an impact on highway safety. SCC Highways Department confirmed on 6 th December 2010 that local residents have complained about parking problems in Bassett Green Drive and Northwood Close including parking on grass verges.
Questions whether the landlord is responsible dealing with tenants parking.	This is not a material consideration. The management and maintenance of the property is the responsibility of the landlord to ensure that the tenants comply with their tenancy agreement.
Residential amenity	Response
The layout of accommodation for family unit would be unsuitable as a family unit.	This was discussed by members at the previous panel meeting and therefore is not new material consideration.

<p>Flat 3 is intended to be a 3 bed unit.</p>	<p>The applicant confirmed in the email dated 22nd November 2010 that Flat 3 is intended to be 2 bedroom and gave consent for the LPA to update the plans for the avoidance of doubt. Furthermore, a condition can be applied to prevent the intensification of this unit.</p>
<p>The 3 bed unit can be used for multiple occupation</p>	<p>This would not require planning permission, however, permitted development rights can be removed to change from C3 to C4 use.</p>
<p>Intensification of traffic movements will affect amenity of local residents.</p>	<p>Amended scheme is a lesser form of development. The space for on site parking area can be re-landscaped to reduce its size, to minimise additional opportunity for parking by residents beyond the maximum 6 spaces required by the SCC parking standards.</p>
<p>The basement area rooms 1 and 5 can be used for accommodation</p>	<p>These spaces in the basement are designated habitable condition, however, a condition can be applied to prevent the use of these internal spaces by the residents.</p>
<p>The statement by the applicant that the property is occupied as a HMO is contrary to the electoral register. The panel members did not have sufficient information about the occupation of the existing building, which is crucial in comparing the current and proposed uses and impact on residents.</p>	<p>The applicant has a duty to submit accurate information with the planning application. It is also the duty of the applicant as the owner of the property to ensure that the electoral register is completed accurately. Following discussion with the Environmental Health Team confirmed on 6th December 2010 that no noise and disturbance complaints have been received by local residents.</p>
<p>There will be the risk of crime due to creating less natural surveillance and more dark spaces</p>	<p>Security lighting can be fitted in appropriate location which operates by motion sensors. Details can be agreed under a condition prior to development/occupation. The</p>

	amended proposal is not considered to increase risk of crime and therefore is not contrary to the requirements of policy SDP10.
There will be a new bathroom window which is in contravention of the covenant of the property.	The original proposal included a bathroom windows on the east elevation. These windows are to be obscured glazed. The contravention of the covenant is a civil matter and therefore not a material planning consideration.
Other Matters	Response
Conflicting differences with amended plans and Officer's presentation which gave incomplete information	The Planning Officer's report and assessment was based on the original plans submitted. Following negotiations with the applicant changes to the original scheme were made to achieve a lesser form of development, where the building envelope will not be expanded, and there are wholly changes to the external appearance and internal layout of the building. The nature and scale of these changes are not considered to be significantly material to the original proposal.



10/01311/FUL



Scale : 1:1250

Date 09 December 2010

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