

Southampton City Planning & Sustainability
Planning and Rights of Way Panel meeting 24 May 2011
Planning Application Report of the Planning and Development Manager

Application address: Hendy Ford site, 360-364 Shirley Road			
Proposed development: Redevelopment of the site. Demolition of the existing buildings and erection of two, three and four-storey buildings to provide 18 houses (11 x three bed and 7 x four bed) and 78 flats (38 x one bed, 29 x two bed and 11 x three bed) with associated parking and vehicular access from Shirley Road.			
Application number	10/01020/FUL	Application type	FUL
Case officer	Richard Plume	Public speaking time	15 minutes
Last date for determination:	20.12.2010	Ward	Millbrook
Reason for Panel Referral:	Major application with significant public interest.	Ward Councillors	Cllr Furnell Cllr Thorpe Cllr Wells

Applicant: Orchard Homes And Developments Limited	Agent: Paris Smith Llp
--	-------------------------------

Recommendation Summary	Delegate to the Planning and Development Manager to grant planning permission subject to the criteria listed in report
-------------------------------	---

Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations, including the vehicular access arrangements, car parking arrangements, protection of trees and the impact on the amenities of neighbouring occupiers, have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - SDP1, SDP 5, SDP7, SDP9, SDP10, SDP11, SDP13, SDP14, HE6, CLT5, CLT6, H1, H2 and H7 of the City of Southampton Local Plan Review (March 2006), Policies CS4, CS6, CS13, CS15, CS16, CS18, CS19, CS20 and CS25 of the Local Development Framework Core Strategy Development Plan Document (January 2010) and the relevant parts of supplementary planning guidance including the Residential Design Guide (September 2006) .

Appendix attached			
1	Development Plan Policies		

Recommendation in Full

Conditionally approve

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

- i. Site specific highway improvements in the vicinity of the site in line with Policy SDP4 of the City of Southampton Local Plan Review (March 2006), policies CS18 and CS25 of the adopted LDF Core Strategy (2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended) to include: works to create an improved pedestrian and cycle environment within Edward Road and Henry Road and associated junctions to include the removal of the existing road restriction; consultation/implementation of an unmarked but signed controlled parking zone within the area, including paying for the necessary Traffic Regulation Order; relocation of an existing traffic island on Shirley Road.
- ii. A financial contribution towards strategic transport projects for improvements in the wider area as set out in the Local Transport Plan and appropriate SPG/D.
- iii. Financial contributions towards open space improvements required by the development in line with policies CLT5, CLT6 of the City of Southampton Local Plan Review (March 2006), Policy CS25 of the adopted LDF Core Strategy (2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended).
- iv. Provision of affordable housing in accordance with Core Strategy Policy CS15.
- v. Submission and implementation of a Training and Employment Management Plan committing to adopting local labour and employment initiatives in line with Core Strategy Policies CS24 and CS25.
- vi. Submission, approval and implementation of Public Art in accordance with the Council's Public Art Strategy.
- vii. Submission, approval and implementation of a Construction Traffic Management Plan.
- viii. 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.

In the event that the legal agreement is not completed by 1 August 2011 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 currently occupied by Hendy Ford as a car dealership incorporating new and used car sales, servicing, sale of spare parts, tyre fitting etc with associated parking. The only vehicular access to the site is from Shirley Road. There is a concrete panelled fence to the rear site boundary fronting Randolph Street which incorporates a controlled pedestrian gate for staff use into the site. There are mature trees in the western part of the site which are protected by a Tree Preservation Order.
- 1.2 The surroundings are mixed in terms of uses, building heights and architectural styles. Shirley Road is predominantly commercial in character. A further used car

sales plot adjoins to the north on the Shirley Road frontage, with a substantial warehouse building beyond, which is used by Royal Mail and a gymnasium (Fitness First). On the opposite side of Shirley Road are 3-storey terraced buildings with retail/service uses on the ground floor. To the south of the site is a 2-storey public house (The Brass Monkey) and a series of 4-storey flat roofed blocks of flats, of which Withewood Mansions is the closest to the application site. To the rear of the site are small-scale 2-storey houses in Henry Road, Edward Road and Randolph Street. These are narrow streets with restricted on-street car parking and there is currently a road closure device on the corner of Henry Road which precludes through access for vehicles from Henry Road into Edward Road.

2. Proposal

- 2.1 The application proposes demolition of all the existing buildings on the site and the erection of new 2, 3 and 4-storey buildings to provide a total of 96 dwellings. On the Shirley Road frontage, a centrally located vehicular access would provide the main route into the site. Either side of this access would be a pair of 4-storey blocks of flats with ground floor gardens, part private and part communal, balconies to upper floor flats and a shared roof terrace on top of each building. In the central part of the site, two smaller 4-storey blocks of flats are proposed and a terrace of 3-storey houses. At the rear of the site, fronting Randolph Street, a terrace of 2 and 3-storey houses are proposed with associated parking. A cycle and pedestrian route into the site is proposed opposite Edward Road but there is no vehicular access into the site from this side. The overall mix of units is 18 houses (11 x 3 bedroom and 7 x 4 bedroom) and 78 flats (38 x 1 bedroom, 29 x 2 bedroom and 11 x 3 bedroom). A total of 61 car parking spaces is proposed.
- 2.2 The density of the development is 118 dwellings per hectare. The proposed external materials are a mixture of brickwork, render and timber detailing.
- 2.3 The application has been amended since it was first submitted. The main changes are:
- a reduction in the number of dwellings from 104 to 96; an increase in parking numbers from 48 to 61;
 - changes to the layout to retain the trees subject of the Tree Preservation Order; alterations to the Randolph Street frontage to provide a more conventional terraced layout to the street;
 - the omission of the vehicular access from Edward Street previously proposed;
 - a re-design of Block B2 on the Shirley Road frontage to reduce the number of flats and deleting solely north facing flats;
 - various detailed elevational changes;
 - It is also now proposed that the existing road closure device in Henry Road would be removed as part of the works.

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**.
- 3.2 Major developments are expected to meet high sustainable construction standards in accordance with the City Council’s adopted and emerging policies. In

accordance with adopted Core Strategy Policy CS20 and Local Plan “saved” Policy SDP13.

4. Relevant Planning History

- 4.1 The application site is a long established business for vehicle related activities. There have been various planning decisions for extensions to buildings, minor alterations and signs which are not relevant to the current application for redevelopment.
- 4.2 In 1979, planning permission was refused for the retention of a vehicular access to Randolph Street at the rear of the Bristol Street Motors site (reference 1778/1550/W12). The reason for refusal was based on protecting residential amenity and restricting the vehicular access to this commercial site.
- 4.3 In 1999, planning permission was granted to extend the vehicle use by changing the use of the land to the rear of the Rising Sun P.H. for car parking (reference 990160/W).

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 on 21.10.10 and erecting a site notice. At the time of writing the report **83** representations had been received from surrounding residents, including Councillor Furnell. Reconsultation has taken place on the amended application, see paragraph 5.3 below.
- 5.2 The following relevant planning issues were raised:

i) Highways/parking

Henry Road and Edward Road are very narrow already with existing traffic and parking problems, the new access will increase traffic and disturbance and make a difficult situation worse. All vehicular access should be from Shirley Road. Road safety problems would increase due to inadequate sight lines. Access for emergency services and waste collection would be made more difficult due to the already over-subscribed parking in the area. Insufficient car parking is proposed which will result in detrimental overspill into adjoining streets. Residents have previously opposed the area becoming a Controlled Parking Zone.

Response

Henry Road and Edward Road were not designed to accommodate large numbers of vehicles and there are existing parking and vehicle passing issues. The majority of the proposed dwellings would be serviced from Shirley Road and the vehicular access into the site from Randolph Street to the rear has now been removed. However, the amended layout does result in a terrace of 11 new houses fronting Randolph Street with their associated on-plot car parking (a total of 13 spaces). These houses would therefore be accessed via Henry Road and Edward Road. It is not accepted that this proposal would increase road safety problems or make access difficult for large vehicles. In fact, the removal of the existing road barrier should improve manoeuvring for refuse vehicles and the emergency services. The Council's car parking standards are set at maximum levels

according to the public transport accessibility of the site. This is an area of medium public transport accessibility with a wide choice of bus services along Shirley Road. The amount of car parking has been increased with the amended application, which has also reduced the number of dwellings. The proposed development is now very close to the maximum standards (only 3 spaces less) and this provision is considered to be acceptable.

ii) Character

The development would drastically change the visual character of the area with a dramatic impact on noise and air pollution levels. Too much development is proposed, a smaller development of 2 and 3 bedroom terraced houses with some green open spaces and access from Shirley Road would be more appropriate.

Response

It is accepted that this redevelopment will result in a significant change to the appearance of the area, which will be significantly enhanced by the replacement of industrial style buildings and large areas of car parking with contemporary residential properties and areas of landscaping. Noise and air pollution should not be increased as a result of this application: the number of vehicle movements will significantly reduce following relocation of the car dealership and there would be no further industrial processes on site.

iii) Impact on amenities

The proximity of the development to the adjoining site fronting Shirley Road results in an overbearing impact which would constrain any future development of this adjoining site. The house proposed adjoining 1 Henry Road would result in a loss of light and outlook, this adjoining land should be used for car parking only.

Response

The amended application has resulted in part of Block B2 being set further back from the adjoining site to the north. These adjoining sites are currently in commercial use (car sales use, Royal Mail and gym). The design and layout of the proposed buildings would not preclude these adjoining sites from being redeveloped for residential development. The amended application realigns the houses along the rear boundary, removes the house which was proposed next to 1 Henry Road and replaces it with parking as requested.

Reconsultation

5.3 Neighbours have been reconsulted following the receipt of amended drawings. At the time of writing this report 41 letters of objection had been received on the following grounds: **the existing roads, Henry Road and Edward Road, are cul-de-sacs, the proposal would open up the site and allow public access from Shirley High Street, this would increase late-night anti-social behaviour and disrupt a peaceful neighbourhood; there would be increased overspill car parking and additional traffic due to the new houses only being accessed from this side of the site; opposed to the removal of the traffic barrier which is there to limit traffic in these streets; would cause additional traffic hazards, noise and air pollution.**

Response

These issues are addressed elsewhere in this report and any additional responses will be

reported verbally to the meeting.

Consultation responses

- 5.4 **SCC Trees** – Objected to the application as originally submitted due to the loss of protected trees but satisfied with the revised layout as it retains the trees and provides space for them to develop. The applicants will need to provide a detailed method statement of how the trees are to be protected through the development, this can be conditioned.
- 5.5 **SCC Architect's Panel** – (Comments on the application as originally submitted): The site layout needs re-considering especially in relation to Edward Road/Henry Road where there is a preference for a conventional frontage to these streets; the overall height and massing is probably reasonable for this location; the layout and the treatment of the central part of the site appears to represent an overdevelopment of the site. (The application has been amended to take these comments into account, in particular the site layout has been changed and the central turning area has been landscaped).
- 5.6 **SCC Environmental Health (Pollution & Safety)** – No objections subject to conditions covering the hours of construction, working methods and limiting noise and vibration.
- 5.7 **SCC Environmental Health (Contaminated Land)** - Annex 2 of PPS23 considers the proposed land use as being sensitive to the affects of land contamination. The existing garage use is associated with potential land contamination hazards. There is the potential for these off-site hazards to migrate from source and present a risk to the proposed end use, workers involved in construction and the wider environment. Therefore, to ensure compliance with Annex 2 of PPS23 and policies SDP1 and SDP22 of the City of Southampton Local Plan Review (adopted version, March 2006) the site should be assessed for land contamination risks and, where appropriate, remediated to ensure the long term safety of the site. Planning conditions should be imposed to address these issues.
- 5.8 **SCC Ecology** – The application site consists of a number of buildings and extensive areas of hard standing with some trees and amenity grassland. The ecological interest of the site has been assessed as having some potential for breeding birds but a low likelihood of bats and reptiles being present. The proposed development is unlikely to have an adverse impact on local biodiversity so there is no objection subject to a condition securing biodiversity enhancement.
- 5.9 **SCC Archaeology** - The full archaeological potential of the area around the development site is currently unknown due to the lack of formal fieldwork conducted in the area. There are numerous buildings shown on the historic maps, however, the exact nature and extent of these buildings is unknown. Conditions should be attached to safeguard the potential of remains.
- 5.10 **Southern Water** – Initial investigations indicate there is inadequate capacity in the local network to provide foul sewage disposal to service the proposed development. Additional off-site sewers or improvements to existing sewers will be required to provide sufficient capacity to service the development. Conditions and informatives should be imposed covering further details of foul and surface water disposal.

6. Planning Consideration Key Issues

- 6.1 The key issues for consideration in the determination of this planning application are:
- The principle of this development and the form and mix of dwellings proposed.
 - Design issues relating to the layout, the amount of development proposed and the impact on the character of the area.
 - Transportation and Parking issues.
 - Environmental matters including trees and sustainability considerations.

Principle of Development

- 6.2 This is a long established car dealership use which is on the edge of, but not within, Shirley Town Centre as defined in the Local Plan. The site is not allocated or safeguarded for employment use and there is therefore no presumption of retaining an employment use on the site. Government guidance in PPS 3 (2010) encourages local authorities and developers to make efficient use of previously developed land for housing. This part of Shirley Road is of mixed character, part residential and part commercial, with the adjoining site to the south being entirely residential. In these circumstances it is considered that a residential only development is acceptable in principle. The applicant has explained that the existing business is proposing to relocate from this site irrespective of the outcome of this application. It is proposed to move the existing jobs to other locations run by the same business in the surrounding area.
- 6.3 This is a large site and it is capable of accommodating a range of building types and size and mix of dwellings. The proposal includes family sized houses and flats as well as a range of smaller units. 29 of the dwellings would be family sized units with private amenity areas to comply with Core Strategy Policy CS 16 which seeks 30% family unit provision. The applicant has stated that at least 35% of the proposed new dwellings will be provided as affordable housing to comply with Policy CS 15 of the Core Strategy. The applicants are discussing the possible provision of more than 35% of affordable housing with Housing Associations and it is possible that the affordable provision may eventually amount to between 35% and 70% of the total dwellings. The actual percentage will depend on further negotiations later on in the development process. The development therefore complies with government guidance in PPS 3 and local planning policies in achieving a good mix of market and affordable housing.

Design Issues

- 6.4 The layout of the development provides a logical response to the character of the surroundings with the larger blocks of flats on the Shirley Road frontage and the scale of buildings reducing within the central part of the site and along the rear site boundary. The blocks of flats are in 'perimeter block form' which provides a well defined landscaped frontage to Shirley Road, as opposed to the layout of the mansion flats adjoining, which are end on to the street with a perimeter road. This form of development is recommended in the Residential Design Guide and supported in this case as it would create a better sense of enclosure to Shirley Road than the existing buildings on the site. The two blocks of flats on the Shirley Road frontage are, however, sufficiently set back from the street to allow a reasonable depth planting area to be provided which can accommodate further tree planting to continue the tree screen on the adjoining site. The development includes

sufficient amenity space in accordance with the guidance in Core Strategy Policy CS 16 and the Residential Design Guide. The amenity space is a mixture of private garden areas for the family-sized units, balconies and communal roof terraces on the top of the 4-storey buildings fronting Shirley Road. These different amenity areas would adequately cater for the day to day needs of future occupiers with additional contributions towards enhanced off-site facilities such as play space and playing fields being secured through the Section 106 agreement.

- 6.5 The scale and massing of the proposed buildings is considered to be acceptable to the character and appearance of the surrounding area. There are existing 4-storey buildings in the immediate vicinity on Shirley Road. The mansion blocks on the adjoining site are a series of 4-storey flat-roofed buildings, the Royal Mail building on the other side of the site is of similar scale as are the 3-storey traditional buildings on the opposite side of Shirley Road, some of which have received approval for an additional floor to be added. The application site has a wide frontage to Shirley Road, some 65 metres, and the scale and form of the proposed blocks of flats, separated by a central access road, is appropriate in this context. The other blocks of flats within the centre of the site, although also 4-storeys, are much smaller in volume and set well off the side boundaries. The proposed houses, 3-storeys within the centre of the site, and predominantly 2-storeys to the rear of the site are compatible with adjoining properties. The amended scheme provides a traditional terraced frontage to Randolph Street which is acceptable in design terms and should enhance safety and security on this street. The detailed design treatment is of a simple contemporary form which is appropriate for this location.
- 6.6 This is a high density scheme (118 dwellings per hectare), Core Strategy Policy CS 5 recommends a general density range of 50 - 100 dwellings per hectare in areas of medium public transport accessibility. However, the policy suggests that high densities (over 100 d.p.h) should be limited to the most accessible areas, namely the city centre, areas close to and within Shirley Town Centre and the district centres. The application site directly adjoins Shirley Town Centre and the public transport corridor of Shirley High Street/Shirley Road. A higher density development is considered to be acceptable in this location as it would result in making efficient and effective use of previously developed land in a sustainable location as recommended in PPS 3 and local planning policies. There are other high density housing developments in the area, for example, the mansion blocks adjoining (Withewood Mansions etc) which has a density of approximately 180 d.p.h.

Transportation and parking issues

- 6.7 The traffic and parking issues arising from this development have resulted in a significant number of objections from local residents. This is understandable, but it has been demonstrated that this residential development would result in a significant reduction in daily traffic movements compared with the long established car dealership use. The majority of vehicle movements would be from Shirley Road with only 11 houses and 13 car parking spaces accessing the site via Henry Road and Edward Road. It is considered to be preferable in urban design terms for these new houses to have on-plot parking at the front so access solely from the rear via Shirley Road is not considered to be satisfactory.
- 6.8 The existing traffic barrier at the corner of Henry Road would appear to be a traffic calming measure installed at a time when Randolph Street was used as a rat-run. This is no longer possible due to a previous road closure and retention of this

barrier seems to serve no useful purpose as Henry Road and Edward Road already form a cul-de-sac. The removal of this barrier would improve access for larger vehicles, including refuse vehicles and the emergency services, provide additional space for on-street car parking and have no adverse affect on highway safety. The removal of a previously proposed vehicular access into the site will prevent a through access between Shirley Road and Edward/Henry Roads but retain a cycle and pedestrian route through the site, which can be controlled by a condition. Increased permeability for pedestrians is encouraged by good design practice and the Council's RDG.

Environmental Issues

- 6.9 As already stated in this report, the proposal will result in a reduction in daily traffic movements compared with the existing use and the removal of industrial processes. This will reduce noise and air quality problems. Furthermore, the appearance of the site will be significantly enhanced especially at the rear of the site which is dominated by industrial buildings and unattractive fencing. The majority of existing trees on the site will be retained including those subject of the Tree Preservation Order and those on the boundary with the mansion blocks. In sustainability terms the standard conditions can be imposed relating to the Code for Sustainable Homes, carbon emissions and the potential for SUDS.
- 6.10 In terms of neighbour amenity considerations, the layout of the scheme is such that overshadowing of neighbouring properties will not result to an unacceptable degree given the nature of adjoining uses. Privacy distance standards would be met and in most instances the outlook for neighbouring occupiers should be significantly improved compared with the existing situation.

7. Summary

- 7.1 This is a high density residential development of a mixed commercial site which is not protected by Council policy. The amount of development proposed is considered acceptable for a large previously developed site in a sustainable location adjoining Shirley Town Centre and in environmental terms a significant enhancement would be achieved. A good mix of family and non-family units would be provided as well as a good balance between market and affordable housing. As amended, the proposed layout and design is considered to be acceptable and the amenities of neighbours would not be adversely affected. There are some traffic and parking concerns but these can be mitigated by the Section 106 agreement and conditions.

8. Conclusion

- 8.1 It is recommended that planning permission be granted subject to a Section 106 agreement and conditions.

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(c), 2(d), 4(b), 4(f), 4(g), 6(a), 6(c), 7(a), 7(e), 7(n), 7(v), 9(a), 10(a) and 10(b).

RP2 for 24/05/11 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 endeavouring 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, which includes:

- i. proposed finished ground levels or contours; means of enclosure; 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 - Arboricultural Method Statement [Pre-Commencement Condition]

No operation in connection with the development hereby permitted shall commence on site until a site specific Arboricultural Method Statement in respect of the protection of the trees during all aspects of work on site is submitted and agreed in writing by the Local Planning Authority. It will be written with contractors in mind and will be adhered to throughout the duration of the demolition and development works on site. The Method Statement will include the following:

1. A specification for the location and erection of protective fencing around all vegetation to be retained
2. Specification for the installation of any additional root protection measures
3. Specification for the removal of any built structures, including hard surfacing, within protective fencing areas.
4. Specification for the construction of hard surfaces where they impinge on tree roots
5. The location of site compounds, storage areas, car parking, site offices, site access, heavy/large vehicles (including cranes and piling rigs)
6. An arboricultural management strategy, to include details of any necessary tree surgery works, the timing and phasing of all arboricultural works and protection measures.
7. Specification for soft landscaping practices within tree protection zones or the canopy of the tree, whichever is greatest.

Reason

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

05. 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.

06. 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 trees for every single tree removed. 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.

07. 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.
4. 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.

08. 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.

09. 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.

10. 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.

Reason:

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

11. 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.

Reason:

To ensure that the archaeological investigation is completed.

12. APPROVAL CONDITION - Code for Sustainable Homes [Pre-Occupation Condition]

Written documentary evidence demonstrating that the development will achieve at minimum Level 3 of the Code for Sustainable Homes, including at least [the percentage required by core strategy policy CS20] in category Ene1, shall be submitted to the Local Planning Authority and verified in writing prior to the first occupation of the development hereby granted, unless an otherwise agreed timeframe is agreed in writing by the LPA. The evidence shall take the form of a post construction assessment and certificate as issued by a legitimate Code For Sustainable Homes certification body.

REASON:

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

13. 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.

14. APPROVAL CONDITION - Residential - Permitted Development Restriction [Performance Condition]

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), or any Order amending, revoking or re-enacting that Order, no building or structures within Schedule 2, Part 1, Classes as listed below shall be erected or carried out to any dwelling house hereby permitted without the prior written consent of the Local Planning Authority:

Class A (enlargement of a dwelling house), including a garage or extensions,

Class B (roof extensions),

Class E (curtilage structures), including a garage, shed, greenhouse, etc.,

Reason:

In order that the Local Planning Authority may exercise further control in this locality given

the small private garden and amenity areas provided as part of this development in the interests of the comprehensive development and visual amenities of the area.

15. 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.

16. APPROVAL CONDITION - No Pile Driving for Foundations [Performance Condition]

No percussion or impact driven piling activities shall take place for pre-works, foundations, or as any part of the development.

Reason:

In the interests of securing the stability of the site and adjacent land in order to protect the amenities of occupiers of nearby properties.

17. 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.

18. APPROVAL CONDITION - Noise & Vibration (external noise sources) [Pre-Commencement Condition]

Construction work shall not begin until an acoustic report and written scheme to protect the proposed development in terms of habitable rooms, balconies, roof terraces and gardens from external noise sources (noise includes vibration) including transportation noise, has been submitted to and approved in writing by the Local Planning Authority. All works which form part of the scheme shall be completed and be available for use before any part of the development is occupied.

Reason:

To protect the occupiers of the development from excessive external noise.

19. APPROVAL CONDITION - Waste Management Plan [Pre-Occupation Condition]

A waste management plan containing full details of measures to reduce the wastage of

materials and promote the recycling of materials during the construction process and in the subsequent use and operation of the development shall be submitted and agreed in writing with the Local Planning Authority prior to the first occupation of the development hereby granted consent. The plan will contain measures to promote the reuse, segregation and composting of wastes produced on site.

Reason:

To ensure that resource consumption is minimised and opportunities for recycling are maximised on site and to comply with policy SDP13 (viii) of the City of Southampton Local (2006).

20. APPROVAL CONDITION - Construction Method Statement (Pre-Commencement Condition)

The development hereby approved shall not commence until a method statement and appropriate drawings of the means of construction of the development has been submitted to and approved in writing by the Local Planning Authority. The method statement shall specify vehicular access arrangements, the areas to be used for contractor's vehicle parking and plant, storage of building materials and any excavated material, temporary buildings and all working areas required for the construction of the development hereby permitted. The building works shall proceed in accordance with the approved method statement unless otherwise agreed in writing by the Local Planning Authority.

REASON

To protect the amenities of neighbours and the wider environment

21. APPROVAL CONDITION - Layout of Car Parking/Servicing (Pre-Occupation Condition)

The whole of the car parking, cycle storage and servicing facilities shown on the approved plans shall be laid out and made available before the use of the building to which these facilities relate commences and thereafter retained solely for the use of the occupants and visitors to the site and for no other purpose.

REASON

To ensure adequate on-site parking and servicing facilities and to avoid congestion in the adjoining highway.

22. APPROVAL CONDITION - Access road restriction (Pre-Occupation Condition)

Unless otherwise agreed in writing by the Local Planning Authority, no part of the development shall be occupied until bollards, or some other form of physical barrier, has been installed across the cycle and pedestrian route into the site between house numbers 9 and 10 as shown on approved drawing number 07-045-002 Rev D. The approved barrier shall be permanently retained thereafter.

REASON

To ensure this access into the site is for cycles and pedestrians only thereby preventing vehicular use to safeguard the amenities of neighbours.

23. APPROVAL CONDITION - Foul and Surface Water Drainage (Pre-Commencement Condition)

No development shall commence, apart from demolition of the existing buildings, until details of the proposed means of foul and surface water sewerage disposal has been submitted to, and approved by, the Local Planning Authority in consultation with Southern Water. The development shall be carried out in accordance with these approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason

In order that the Local Planning Authority may be satisfied that the development would not increase the risk of flooding in the area.

24. APPROVAL CONDITION - Protection of sewers (Pre-commencement condition)

No demolition shall commence, apart from demolition of the existing buildings, until details of measures to protect or divert the public sewers which cross the site, have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. The development shall be carried out in accordance with the approved measures unless otherwise agreed in writing by the Local Planning Authority.

REASON

To ensure this important public infrastructure is protected during the course of construction of the development.

25. APPROVAL CONDITION - Refuse facilities (Pre-Occupation Condition)

The refuse storage facilities, which shall include recycling facilities, as shown on the approved drawings shall be provided before the dwelling to which the facility relates has been provided. The storage areas shall be retained thereafter.

REASON

To ensure suitable refuse and recycling facilities are provided and in the interests of visual amenity.

26. APPROVAL CONDITION - Biodiversity enhancement (Performance Condition)

The biodiversity enhancement measures shown on the submitted soft landscape plan shall be carried out in accordance with the implementation timetable to be approved as required by Condition 3 of this planning permission.

REASON

To ensure the development contributes to the ecological value of the area.

27. 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.

Reason for granting Planning Permission

The development is acceptable taking into account the policies and proposals of the

Development Plan as set out below. Other material considerations, including the vehicular access arrangements, car parking arrangements, protection of trees and the impact on the amenities of neighbouring occupiers, have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - SDP1, SDP 5, SDP7, SDP9, SDP10, SDP11, SDP13, SDP14, HE6, CLT5, CLT6, H1, H2 and H7 of the City of Southampton Local Plan Review (March 2006), Policies CS4, CS6, CS13, CS15, CS16, CS18, CS19, CS20 and CS25 of the Local Development Framework Core Strategy Development Plan Document (January 2010) and the relevant parts of supplementary planning guidance including the Residential Design Guide (September 2006) .

Note to Applicant

You are advised of the need to enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. For further advice, please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (Tel 01962 858688) or www.southernwater.co.uk

POLICY CONTEXT

Core Strategy - (January 2010)

CS4	Housing Delivery
CS6	Housing Density
CS13	Fundamentals of Design
CS15	Affordable Housing
CS16	Housing Mix and Type
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS25	The Delivery of Infrastructure and Developer Contributions

City of Southampton Local Plan Review – (March 2006)

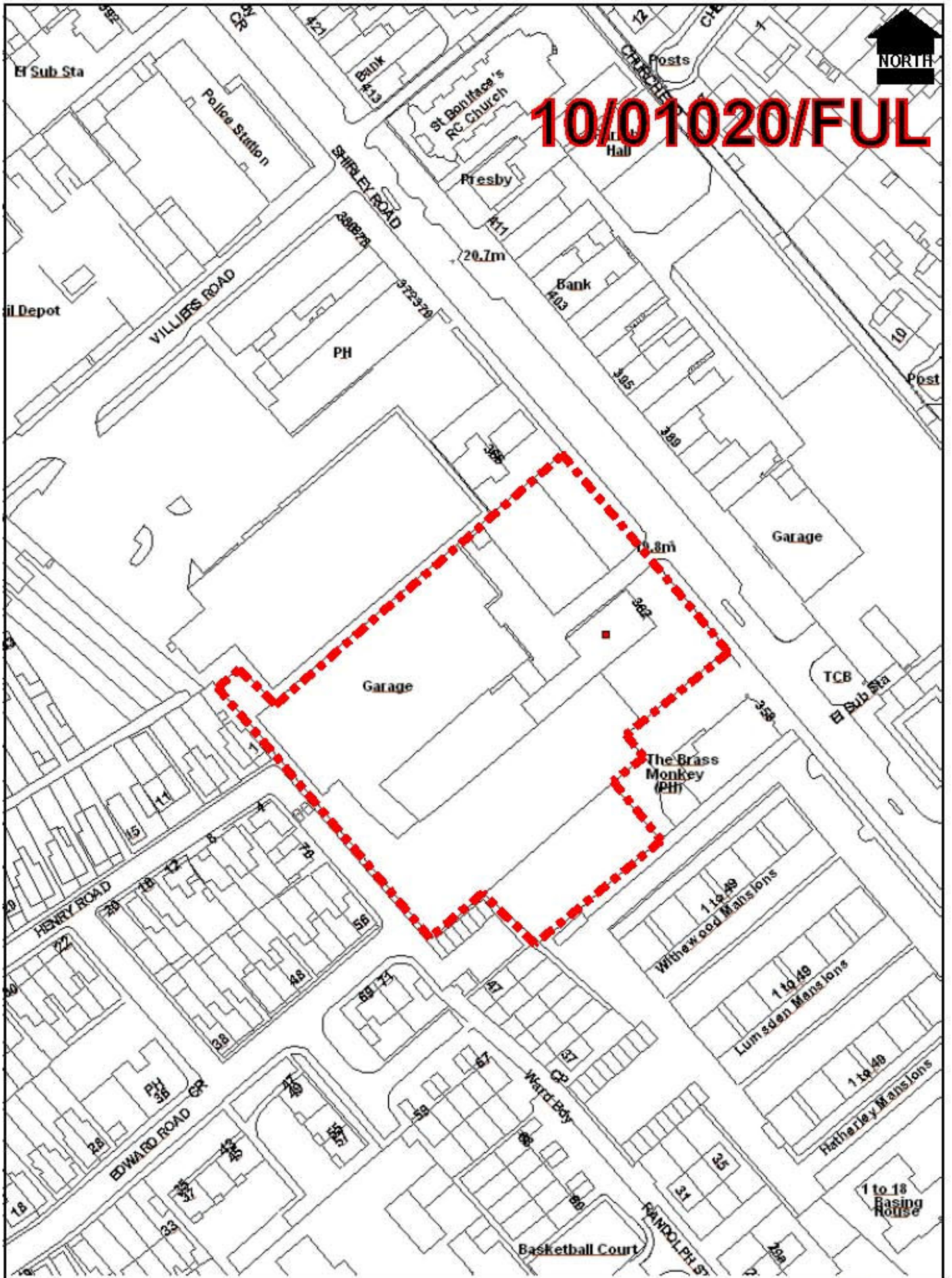
SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP6	Urban Design Principles
SDP7	Urban Design Context
SDP8	Urban Form and Public Space
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP12	Landscape & Biodiversity
SDP13	Resource Conservation
SDP14	Renewable Energy
HE6	Archaeological Remains
CLT5	Open Space in New Residential Developments
CLT6	Provision of Children's Play Areas
H1	Housing Supply
H2	Previously Developed Land
H7	The Residential Environment

Supplementary Planning Guidance

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

Other Relevant Guidance

PPS1 Delivering Sustainable Development (February 2005)
Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 (December 2007)
PPS3 Housing (November 2006)
PPG13 Transport (April 2001)



Scale : 1:1250

Date : 10 May 2011

© Crown copyright. All rights reserved. Southampton City Council 100019679 2004.

