

Southampton City Planning & Sustainability
Planning and Rights of Way Panel meeting 21 June 2011
Planning Application Report of the Planning and Development Manager

Application address: 68-76 and 80-84 Portswood Road			
Proposed development: Redevelopment of the site. Demolition of the existing buildings and erection of three x 4-storey buildings to provide 43 flats (18 x 1-bed, 22 x 2-bed and 3x 3-bed), 9 x 3-storey houses (2 x 2-bed, 3 x 3-bed and 4 x 4-bed) and a commercial unit (Class A2) with associated access, parking and landscaping.			
Application number	11/00393/FUL	Application type	FUL
Case officer	Jenna Turner	Public speaking time	15 minutes
Last date for determination:	16.06.11	Ward	Portswood
Reason for Panel Referral:	Major application	Ward Councillors	Cllr Vinson Cllr Capozzoli Cllr Claisse
Applicant: The Romsey Management Company		Agent: Chris Edmond Associates	

Recommendation Summary	Delegate to Planning and Development Manager to grant planning permission subject to criteria listed in report
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Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan and other guidance as set out on the attached sheet. Other material considerations such as those listed in the report to the Planning and Rights of Way Panel on the 21.06.11 do not have sufficient weight to justify a refusal of the application. The proposal would be in keeping with the site and surrounding properties and would not have a harmful impact on the amenities of the neighbouring properties. Where appropriate planning conditions have been imposed to mitigate any harm identified. In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004, Planning Permission should therefore be granted taking account of the following planning policies:

“Saved” Policies – SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP11, SDP12, SDP13, H1, H2, and H7 of the City of Southampton Local Plan Review - Adopted March 2006 as supported by the adopted LDF Core Strategy (2010) policies 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), PPS3 (Housing 2010) and PPG13 (Transport 2011) are also relevant to the determination of this planning application.

Appendix attached			
1	Development Plan Policies	2	Planning History

Recommendation in Full

Delegate to the Planning and Development Manager to grant planning permission subject to:

The completion of a S.106 Legal Agreement to secure the following heads of terms:

- i. Financial contributions towards site specific highway improvements in the vicinity of the site in accordance with polices CS18, CS19 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (January 2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended);
- ii. A financial contribution towards strategic transport improvements in the wider area in accordance with policies CS18 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (January 2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended);
- iii. Financial contributions towards the relevant elements of public open space required by the development in line with polices 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) with regard to
 - Amenity Open Space (“open space”);
 - Play Space and;
 - Playing Field.
- iv. Provision of affordable housing in accordance with Policies CS15, CS16 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (January 2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended);
- v. Submission of a highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer;
- vi. The submission of a lorry routeing plan including the timing and routes for construction traffic;
- vii. Submission and implementation of a Training and Employment Management Plan committing to adopting local labour and employment initiatives, in accordance with Policies CS24 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (January 2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended);
- viii. The restriction of parking permits for the surrounding streets for the future occupants of the development and;
- ix. The consultation and implementation of a Traffic Regulation Order to prevent parking in the new access road and adjacent to the site entrance to ensure a refuse vehicle can turn on site.
- x. Submission and implementation of a Waste Management Plan.

That the Planning and Development Manager be delegated powers to vary relevant parts of the Section 106 agreement and to add or vary conditions as necessary as a result of further negotiations with the applicant.

In the event that the legal agreement is not completed within two months 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 comprises a series of two and three storey terraced buildings which front Portswood Road. The properties are a mixture of commercial uses, predominantly offices. There is a large tarmac frontage which is used for car parking. To the rear of the site are single-storey warehouse units which are vacant. There is a change in levels between the front and the rear of the site, with the land sloping down from the front of the site towards the rear boundary. There is an existing vehicular access to the side of 68 Portswood Road. Beyond the rear site boundary is an overgrown cutway. The site is in relatively poor condition, particularly at the rear of the site where the warehouse buildings have a dilapidated appearance.
- 1.2 The site is neighboured to the south by two-storey residential properties and beyond the rear site boundary are the two-storey residential terraced properties of Shakespeare Avenue. To the north of the site is the recently constructed mosque building which contains residential accommodation on the upper floors. The surrounding area is mixed in character. The site lies broadly opposite the Wickes site which has been redeveloped to provide a residential development. The site is in close proximity to the Portswood District centre.

2. Proposal

- 2.1 With the exception of the existing residential building at 78 Portswood Road, it is proposed to demolish the existing buildings on site and redevelop with a mixture of houses and flats.
- 2.2 To the front of the site two blocks of flats would be provided, book-ending the existing residential building of 78 Portswood Road. On the site of 80-84 Portswood Road a four-storey block of flats would be provided which would accommodate seven two-bedroom flats and a ground floor commercial unit of 106 sq.m. The design uses the change in levels to accommodate a further lower ground floor level at the rear of the site.
- 2.3 On the site of 68-76 Portswood Road, a part four and part five storey building is proposed which would accommodate 22 flatted units of accommodation which is a mixture of one, two and three bedroom units. Integral cycle storage would be accommodated on the lower ground floor of the building and an integral refuse store would be provided on the ground floor.
- 2.4 To the side of 68-76 Portswood Road, the access to the rear of the site would be provided, in the same position as the existing vehicular access into the site. This would curve to the north, bisecting the site. A third block of flats would be provided to the rear of 68-76 Portswood Road. This would be a four-storey building, although the fourth level of accommodation would be provided within a mansard roof. This block would accommodate 14 flats which would be a mixture of one and two bedrooms.
- 2.5 The remainder of the site would be developed with housing which comprises a terrace of four properties, a terrace of three properties and a semi-detached pair. The dwellings would front the access road and would have rear gardens backing

onto the rear site boundary. Thirteen parking spaces would be positioned to the front of the properties. The houses would be a mixture of two, three and four bedroom accommodation over three floors. The third level of accommodation would be within the roof space.

- 2.6 The proposed houses would have a pitched roof aesthetic and would be articulated with bay windows. The elevations would be finished in facing brick with elements of different coloured cladding panels.
- 2.7 The flatted development would have a contemporary appearance and also incorporate elements of coloured panelling and facing brick. The development would have a simple flat roof design.

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 site is not specifically allocated in the Development Plan. 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 site was historically used as Lowman’s bakery. The neighbouring site of 88-94 Portswood Road is also subject of a planning application to provide 9 units of accommodation together with two ground floor commercial units. There have been three previous applications on this site for residential redevelopment which were all refused for reasons relating to character, impact on residential amenity and highway safety. The details of these applications are included in **Appendix 2**.

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 (28.04.11) and erecting a site notice (24.03.11). At the time of writing the report 2 representations have been received from surrounding residents. The following is a summary of the points raised:
- 5.2 ***The proposal is designed with insufficient car parking. The development would therefore lead to overspill car parking on the surrounding streets exacerbating existing parking pressures experienced by residents.***

Response

The number of car parking spaces proposed is in accordance with the adopted maximum car parking standards. As part of the section 106 agreement, future occupants of the development would be restricted from obtaining parking permits in the adjacent controlled roads. As such, the development is unlikely to result in overspill car parking on the surrounding streets.

5.3 ***The height of the proposed houses would result in a loss of privacy to the occupants in Shakespeare Avenue.***

Response

The third level of accommodation within the proposed houses is fully contained within the roof space, meaning that the properties would have a two-storey height. A condition is suggested to ensure that the rear-facing roof lights have a cill height of no less than 1.7 metres from the internal floor level which will prevent overlooking from these elevated windows.

5.4 ***The proposed houses would appear out of character with the surrounding area.***

Response

The proposed dwellings, being positioned to the rear of the site, would not be readily visible from public vantage points. That said, the design of the properties responds to the context of the site, albeit in a contemporary manner.

5.5 ***The site is subject to historic land contamination.***

Response

At the time of writing, no response has been received from the Contaminated Land team but a verbal update will be provided at the meeting. Planning conditions can be used to assess the contamination risk and secure any necessary remediation works.

5.6 ***The construction process would lead to disruption for the neighbouring properties.***

Response

It is recommended to use planning conditions and a clause in the section 106 to manage the construction process to minimise disruption to neighbours in terms of noise, dust and the associated construction traffic. As such, Highways and Pollution and Safety officers have raised no objection to the scheme in this respect.

5.7 ***The proposal would have a harmful impact on the occupiers of no 78 Portswood Road in terms of privacy and loss of light.***

Response

There is sufficient separation distance from the proposed dwellings at the rear of the site and the existing flats in Portswood Road to ensure that the development would not have a harmful impact on the privacy, daylight and sunlight of these occupants. The proposed buildings to the side of this property would project no further to the rear of the site and as such would not affect the amenities of the neighbouring occupiers.

5.8 **SCC Highways** - No objection. Suggests conditions to secure full details of cycle storage and convenient access to the cycle stores. In addition to this conditions are needed in relation to the lighting, ventilation and access to the refuse stores.

5.9 **SCC Housing** – No objection. Affordable housing should be provided on site and the target is for 18 dwellings to be provided.

5.10 **SCC Sustainability Team** – The development needs to achieve level 3 of the Code for Sustainable Homes and between 15-20% carbon dioxide savings over the current Building Regulations.

- 5.11 **SCC Trees** – No objection. There are no important amenity trees on the site. Suggests conditions to protect trees which overhang the site.
- 5.12 **SCC Environmental Health (Pollution & Safety)** - No objection. Suggests conditions to minimise disruption to nearby occupiers during the demolition and construction process.
- 5.13 **SCC Archaeology** –There is a potential for archaeology to survive on the site. A phased programme of archaeological works should be undertaken prior to development commencing.
- 5.14 **SCC Children's Services and Learning** - No objection. A Training and Employment Management Plan should be secured through the Section 106 agreement
- 5.15 **SCC Ecology** – No objection. Suggests a condition to secure biodiversity enhancement measures as indicated in the submitted ecology report.
- 5.16 **Southern Water** – No objection. Suggests a condition to secure measures to protect the public sewer during development and to secure details of the means 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:
 - i. The principle of development;
 - ii. The design of the proposal together with the impact on the character of the area;
 - iii. The impact on the amenities of neighbours of the site;
 - iv. The quality of the residential environment proposed and;
 - v. Parking and highways
- 6.2 The application needs to be assessed in light of the key issues as listed above.

Principle of Development

- 6.3 The application site is previously developed land which is not safeguarded for commercial use in the Local Plan and as such, the principle of redevelopment to provide residential accommodation is acceptable. The application proposes a genuine mix of accommodation, which includes housing and the requisite number of family housing units.
- 6.4 Saved Local Plan policies support the redevelopment of vacant and underused commercial sites to provide residential accommodation. This is a high density scheme (123 dwellings per hectare), Core Strategy Policy CS5 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 adjoins Portswood District Centre and the public transport corridor

of Portswood 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 recently completed development at Wickes on the opposite side of Portswood Road which has a density of approximately 160 dwellings per hectare.

Character and Design

- 6.5 The design of the application has evolved significantly following pre-application discussions with the planning and city design teams. In terms of the scale and massing of the proposed development, the predominantly four-storey frontage to Portswood Road would reflect the scale of the nearby Wickes development and the height of the adjacent mosque. The flat roof design of the building reduces its overall height, meaning that adjacent to 66 Portswood Road, the building is the same height as the existing three-storey building on site and the rest of the frontage is between two and four metres taller than the other existing buildings on site and two metres taller than the retained 78 Portswood Road. Furthermore, having regard to the wide road and the edge of District Centre location, the proposed storey heights are considered acceptable.
- 6.6 The proposed elevations are articulated by a staggered building line and the larger of the flatted blocks fronting Portswood Road successfully turns the corner created by the access road marking the entrance to the development at the rear of the site. The use of materials adds interest to the elevations and provides continuity between the design of the individual blocks, as well as also breaking up the massing of the development. The coloured panels in particular add vibrancy to the elevations without appearing overly complicated.
- 6.7 To the rear of the site, the proposed buildings would have a lesser scale and massing than those fronting Portswood Road to better reflect the traditional residential accommodation that can be found beyond the southern site boundary. The development at the rear would create a significant improvement on the current condition of the site.
- 6.8 The proposed layout allows for substantial landscaped settings for the buildings which would help the development integrate into its context and prevent the site appearing over-intensively developed. The scheme has developed having regard to the development opportunities of the neighbouring ATS site (application 11/00313/FUL refers) to ensure that the two schemes would work well if both sites are developed or, to be an acceptable stand alone development if the neighbouring site does not come forward.
- 6.9 The parking and road at the centre of the site is successfully framed by the proposed buildings and also softened by soft landscape planting. The layout would provide a successful residential street, which would have an informal home zone character.

Residential Amenity

- 6.10 The key issues with respect to residential amenity are the relationship of the proposal with No. 66 Portswood Road and the terraced properties to the rear of

the site on Shakespeare Avenue.

- 6.11 The flatted block to the south-east corner of the site is orientated to take its outlook from a north-westerly direction to avoid overlooking of the neighbouring property at 66 Portswood Road. Whilst this block is four-storeys in height, the fourth level of accommodation is contained within the roof space, meaning the building would give the impression of three-storey massing. There is a six metre separation between this block and the boundary with the neighbouring property and the angled position of the building in relation to 66 Portswood Road would ensure that the development would not have a harmful impact on the amenities of these occupiers. It is important to note that due to the change in levels, this building would also be at a lower level than the neighbouring property. Furthermore, as the building is positioned to the north of 66 Portswood Road, the development would not create overshadowing of the neighbouring property.
- 6.12 The proposed houses to the rear of the site would have between 19 and 21 metres separation to the rear of the properties on Shakespeare Avenue. Whilst the 19 metres separation is less than the distance suggested by the Residential Design Guide, this is significantly greater than what is typical in the surrounding area. In addition to this, it is important to note that the existing dilapidated warehouse structures on the site are positioned up to the rear site boundary.
- 6.13 To the rear of the site, the third level of accommodation is served by roof lights and a condition is suggested that the cill of these windows is no less than 1.7 metres from the internal floor level. This would prevent overlooking of the neighbouring properties from these windows. As such, and particularly having regard to the significant visual improvement that the development of the rear of the site offers, the proposal is considered to be acceptable in this respect.

Residential Standards

- 6.14 The flatted developments would have access to over 600 sq.m of communal amenity space which equates to approximately 14 sq.m per unit. In addition to this, many of the flats also have access to private roof terraces and balconies. The amenity space provided would be sufficiently private and enjoy a good level of daylight and sunlight. In addition to this, the amenity space is provided in comprehensive areas to ensure that it could be used flexibly by future residents.
- 6.15 The family housing units would also have access to private and useable amenity space areas. Two of the houses would have slightly less than the required 50 sq.m of amenity space however this space would be sufficiently private, useable and would relate well to the properties. Furthermore, the garden spaces would also enjoy a good level of sunlight and daylight.
- 6.16 The proposed units would have good outlook from habitable room windows and at ground floor level, buildings are set back from public areas to ensure privacy for occupants. Overall it is considered that the design of the street to the centre of the site, together with the good quality areas of amenity space would provide a high quality residential environment.
- 6.17 The development makes provision for cycle and refuse storage which would be conveniently located in relation to the dwellings. A collection point would be provided, accessible by the refuse collection vehicle and a condition is suggested

to secure a management plan for the removal of containers to and from the collection point.

Parking and Highways

- 6.18 The proposal makes provision for 13 car parking spaces which is in accordance with the adopted maximum car parking standards. Local Plan policy SDP5 confirms that car parking is a key determinant in the choice of the mode of travel and therefore this level of car parking would comply with current planning guidance in the form of PPG13: 'Transport', PPS1 'Delivering Sustainable Development' and PPS3 'Housing', which emphasises the need to reduce car dependence. Furthermore, the site is accessible to local shops and facilities within the Portswood District Centre. The provision of secure and convenient cycle storage would promote cycling as an alternative to the private car. The level of car parking proposed to serve the development is therefore considered to be acceptable. Precluding the issue of car parking permits for future residents through the Section 106 agreement would prevent overspill parking into adjoining residential streets.

7. Summary

- 7.1 The proposed development would make good use of the site to provide residential accommodation in this accessible location. The proposed design approach would make a positive contribution to the street scene and would create a marked visual improvement at the rear of the site.

8. Conclusion

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

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1 (a), (b), (c), (d), 2 (b), (c), (d), 4 (f), 6 (a), (c), (f), (i), 7 (a), (b), (e), (k), (m), (t)

JT for 21/06/11 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 to and approved by the Local Planning Authority in writing, 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, including defensible planting to the ground floor private amenity space areas;
- 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 - 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 15% 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).

05. APPROVAL CONDITION – Foul and surface water disposal [pre-commencement condition]

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

Reason:

To secure a satisfactory form of development

06. 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.

07. 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.

08. APPROVAL CONDITION - Demolition - Dust Suppression [Pre-Commencement Condition]

Measures to provide satisfactory suppression of dust during the demolition works to be carried out on the site shall be submitted to and approved in writing by the Local Planning Authority before any demolition commences. The agreed suppression methodology shall then be implemented during the demolition period.

Reason:

To protect the amenities of users of the surrounding area.

09. APPROVAL CONDITION - Bonfires [Performance Condition]

No bonfires are to be allowed on site during the period of demolition, clearance and construction.

Reason:

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

10. APPROVAL CONDITION – Biodiversity Enhancement Measures [performance condition]

Prior to the development first coming into occupation, unless otherwise agreed in writing by the Local Planning Authority, the biodiversity enhancement measures as detailed on the submitted ecology report shall be implemented in accordance with the agreed details and thereafter retained as approved.

Reason

In the interest of local biodiversity

11. 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.

12. 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.

13. APPROVAL CONDITION –Refuse management plan [pre-commencement condition]

Prior to the commencement of development hereby approved, details for the management of refuse waste for the dwellings shall be submitted to the Local Planning Authority for approval in writing. The details shall include the number and type of refuse containers to be used and arrangements for the removal of containers to a collection point on collection days. The facilities shall include accommodation for the separation of waste to enable recycling. The approved refuse and recycling storage shall be retained whilst the building is used for residential purposes.

Reason:

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

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

Prior to the commencement of the development hereby approved details of the external appearance of the cycle storage for block 3 shall be submitted to the Local Planning Authority for approval in writing. In addition to this the steps access to the cycle store in block 3 shall incorporate a gully to facilitate ease of access to the store. Details of the doors to all the cycle stores are required. The development shall proceed in accordance with the approved details and the storage thereafter retained as approved.

Reason:

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

15. 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 C (other alteration to the roof),

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.

16. 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.

17. 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.

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

The garden areas shown on the site plan, and pedestrian access to it, shall be made available as amenity space prior to the first occupation of the dwellings to which the amenity space relates and shall be retained with access to it at all times for the use of all occupiers of the development .

Reason:

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

19. APPROVAL CONDITION – Parking and Access [pre-occupation condition]

Prior to the occupation of the development hereby approved both the access to the site and the parking spaces for the development shall be provided in accordance with the plans hereby approved. The parking shall be retained for that purpose and not used for any commercial activity.

Reason:

To ensure a satisfactory form of development

20. APPROVAL CONDITION - Roads/Footways [pre-commencement condition]

The roads and footways shall be laid out and made up, less the carriageway and footway surfacing, in accordance with the specification, programme and details, as agreed by the Local Planning Authority, before any building is erected on the land. The final carriageway, including the footway surfacing, shall be completed before the penultimate (or numbered) dwelling is occupied.

Reason:

To ensure that the roads are constructed properly and to avoid excess soil being deposited on existing adjoining roads.

21. APPROVAL CONDITION – Position of roof lights [performance condition]

The roof lights in the east facing roof slopes of the dwellings hereby approved shall be no less than 1.7 metres from the internal floor level. The windows shall be thereafter retained in this manner.

Reason

In the interests of the privacy of the neighbouring occupiers.

22. 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.

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

No development 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.

24. 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.

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

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

1. A desk top study including;
historical and current sources of land contamination
results of a walk-over survey identifying any evidence of land contamination
identification of the potential contaminants associated with the above
an initial conceptual site model of the site indicating sources, pathways and
receptors
a qualitative assessment of the likely risks
any requirements for exploratory investigations.
2. A report of the findings of an exploratory site investigation, characterising the site and allowing for potential risks (as identified in phase 1) to be assessed.
3. A scheme of remediation detailing the remedial actions to be taken and how they will be implemented.

On completion of the works set out in (3) a verification report shall be submitted to the Local Planning Authority confirming the remediation actions that have been undertaken in accordance with the approved scheme 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.

26. 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.

27. 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.

28. 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.

POLICY CONTEXT

Core Strategy - (January 2010)

CS4	Housing Delivery
CS5	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
CS22	Promoting Biodiversity and Protecting Habitats
CS25	The Delivery of Infrastructure and Developer Contributions

City of Southampton Local Plan Review – (March 2006)

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP6	Urban Design Principles
SDP7	Urban Design Context
SDP8	Urban Form and Public Space
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP12	Landscape & Biodiversity
SDP13	Resource Conservation
SDP14	Renewable Energy
SDP16	Noise
CLT5	Open Space in new 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 (2010)
PPG13 Transport (2011)

Relevant Planning History

Land to the rear of 68-86 Portswood Road

02/01765/OUT

Refused 13.02.03

Redevelopment of the site to provide 34 flats and associated car parking (Outline application). The reasons for refusal related to the allocation of the site for light industrial use in the emerging Local Plan, the lack of information at the outline stage on highway safety and amenity space and Section 106 matters.

03/01111/OUT

Refused 31.12.03

Removal of industrial unit and construction of no. 32 residential flats with associated parking. The reasons for refusal were similar to those for application reference 02/01765/OUT above.

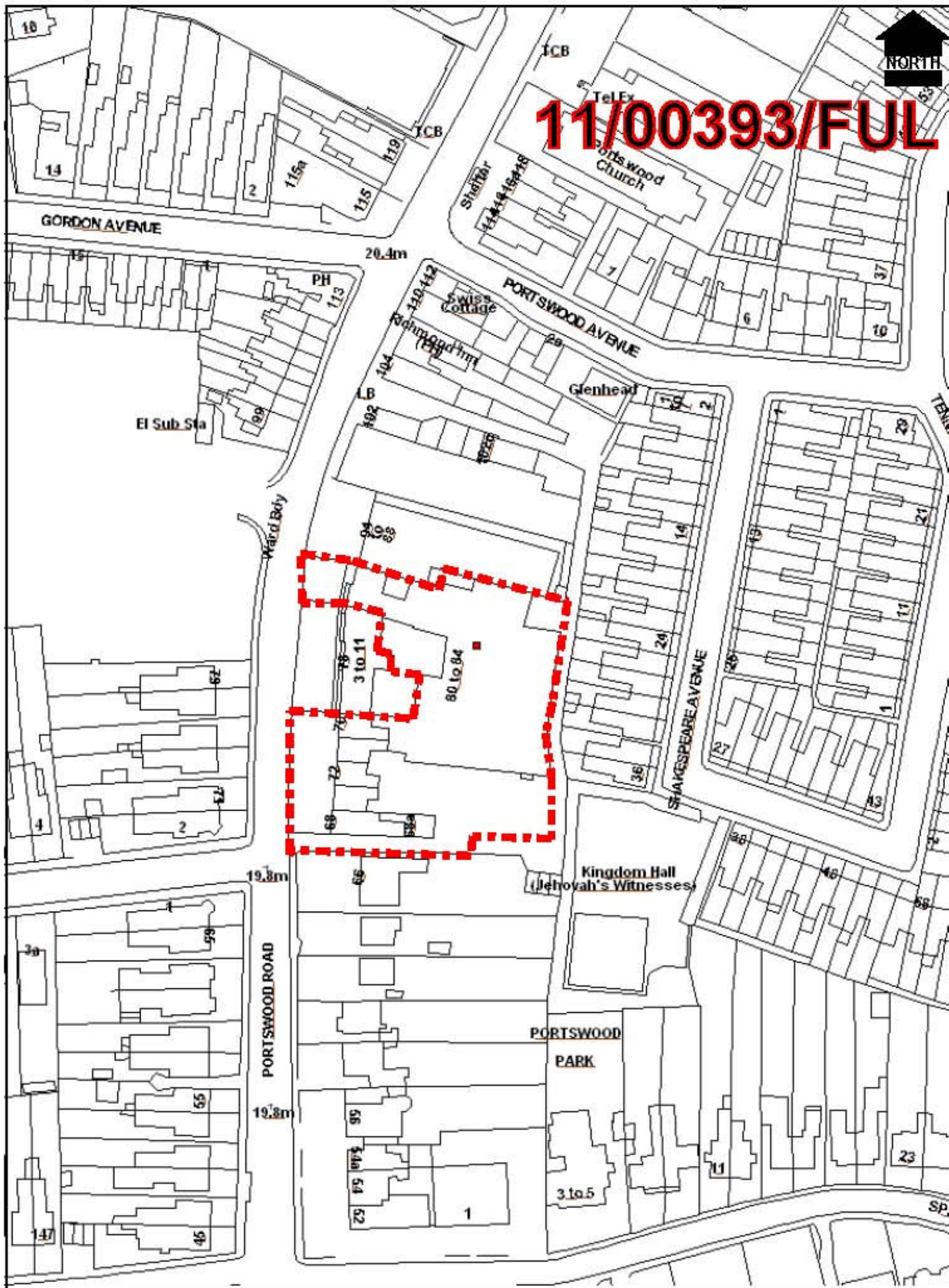
05/01680/FUL

Refused 20.02.06

Redevelopment of the site. Demolition of the existing building and erection of 7 x three-storey, four-bedroom houses and a three-storey block of 24 flats (15 x one-bedroom and 9 x two-bedroom units) with associated parking and vehicular access from Portswood Road. By the time of this decision, the industrial allocation in the emerging Local Plan had been deleted and the reasons for refusal related to: the built form and scale which was considered to be out of character with the surroundings; the overbearing visual impact and loss of privacy to occupiers in Shakespeare Avenue; highway issues and Section 106 matters.



11/00393/FUL



Scale : 1:1250

Date : 07 June 2011

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