

**Southampton City Planning & Sustainability
 Planning and Rights of Way Panel meeting 16th August 2011
 Planning Application Report of the Planning and Development Manager**

Application address: 30 High Road			
Proposed development: Erection of 2-storey, 1 x 4 and 1 x 3-bed, semi-detached houses with accommodation in the roof space, rear dormer windows, associated parking and refuse/cycle storage.			
Application number	11/00437/FUL	Application type	FUL
Case officer	Jenna Turner	Public speaking time	5 minutes
Last date for determination:	30.05.11	Ward	Swaythling
Reason for Panel Referral:	Referred by the Planning and Development Manager	Ward Councillors	Cllr Vassilliou Cllr Osmond Cllr Turner

Applicant: Mr S Poswall	
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Recommendation Summary	Conditionally approve
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Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan 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 16.08.11 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 2011) 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

Conditionally Approve

1. The site and its context

- 1.1 The application site comprises a pair of semi-detached houses on the eastern side of High Road. The properties are vacant and in a poor condition. The rear of the site is given over entirely to hardsurfacing which was previously used for car parking for 11 vehicles when the properties were last used as offices. The site slopes down towards the rear boundary.
- 1.2 The northern site boundary abuts a public car park and the rear gardens of properties on Rayners Gardens. Beyond the rear site boundary and at a significantly lower level lies Thomas Lewis Way. The site is neighboured to the south by a petrol filling station which is accessed from Thomas Lewis Way.

2. Proposal

- 2.1 The application seeks full planning permission for the construction of a pair of semi-detached houses to the rear of the existing properties on site. Plot B would comprise a four-bedroom dwelling and plot A would comprise a three bedroom dwelling.
- 2.2 Each dwelling would be served by one in curtilage car parking space. Pedestrian and vehicular access would be taken from High Road, to the side of the existing property at No. 32. Planning permission has been granted to extend 32 High Road to the side, but the approved scheme retains pedestrian and vehicular access to the rear of the site via an under-croft (planning application reference 11/00436/FUL).
- 2.3 Each dwelling would be served by private rear gardens measuring between 70 and 96 sq.m in area. Purpose built storage of cycle and refuse would be provided within the rear gardens.
- 2.4 The dwellings would have a traditional two-storey appearance with a pitched roof design and constructed using a facing brick. Whilst three levels of habitable accommodation would be provided, the third level would be contained within the roof spaces served by roof lights and rear facing dormer windows. The application has been amended since submission to reduce the overall footprint of the dwellings by 40sq.m and one room in each property has been labelled 'Study'.

3.0 Relevant Planning Policy

- 3.1 The Development Plan for Southampton currently comprises the "saved" policies of the City of Southampton Local Plan Review (March 2006) and the City of Southampton Core Strategy (January 2010). The most relevant policies to these proposals are set out at **Appendix 1**.
- 3.2 The application site is not allocated in the current development plan. The Council's usual requirements for achieving context-sensitive residential design as required by Core Strategy policy CS13 and policies SDP1, SDP7 and SDP9 of the Local Plan are applicable. Applications for new residential dwellings are expected to meet high sustainable construction standards in accordance with adopted Core Strategy Policy CS20 and Local Plan "saved" Policy SDP13.

3.3 The policies of the South East Plan, Southampton's Core Strategy and the saved policies of the Local Plan Review have been taken into account in the consideration of this application. The Core Strategy is in general conformity with the South East Plan, and it is not considered that the policies in the South East Plan either conflict with or add particular weight to the policies in the Core Strategy for this application. Consequently only the local statutory development plan policies (Core Strategy and Local Plan Review) have been cited in this report.

4.0 Relevant Planning History

4.1 Whilst the site has been vacant for a considerable period of time, the last use of the site was for offices and the rear area used for car parking.

4.2 Recently, planning permission was granted to extend the properties to the front of the site and convert them back into two dwellings but this permission has not yet been implemented. In the past, planning permission has been granted to extend and convert the existing buildings on site into flats but these consents were not implemented and have now lapsed. In 2009 an application was approved to redevelop the site to provide a block of nine flats and this planning permission can still be implemented. Were the current planning application to be approved and implemented, it would be no longer possible to construct the block of nine flats as approved.

4.3 Full details of the planning history of the site are included in ***Appendix 2***.

5.0 Consultation Responses and Notification Representations

5.1 Following the receipt of the planning application a publicity exercise in line with department procedures was also undertaken which included notifying adjoining and nearby landowners and erecting a site notice (11.04.11). At the time of writing the report 2 representations have been received from surrounding residents and an objection from Cllr Vassiliou. A further notification has taken place following the receipt of the amended plans. The following is a summary of the points raised:

5.2 *Loss of light to the neighbouring properties in Rayners Gardens*

5.3 Response

The proposed dwellings are positioned away from the northern site boundary with Rayners Gardens and would have a two-storey massing. Furthermore, the slope of the land would reduce the impact of the of the proposal on the neighbouring property. Since the proposed dwellings would be positioned south of Rayners Gardens, there would be additional overshadowing to the neighbouring properties. However, the neighbouring properties and gardens would still enjoy good levels of sunlight due to the siting of the proposed building away from the common boundary. This issue is discussed further in the Planning Considerations section of this report.

5.4 *The size of the properties could create HMO's in the future*

- 5.5 Response
The properties are designed as family dwelling houses. As with other properties with 3 or more bedrooms, currently such accommodation could be converted in the Use Class C4 HMO's without the need for planning permission.
- 5.6 ***Loss of privacy to the neighbouring properties***
- 5.7 Response
No habitable room windows are positioned on the north side elevation of the proposed dwellings and a condition is suggested to prevent the insertion of such windows in the future. As such, the proposal it is considered that the proposal would not introduce any harmful overlooking of the neighbouring properties and gardens.
- 5.8 Consultation Response
- 5.9 **SCC Highways** - Suggested amendments to the scheme to enable vehicles to turn on site. Amended plans have been received to address the comments made and as such Highways raise no objection to the proposal.
- 5.10 **SCC Sustainability Team** – No objection. Suggests a condition to ensure the development meets level 3 of the Code for Sustainable Homes and to secure the required reduction in carbon dioxide emissions.
- 5.11 **SCC Environmental Health (Pollution & Safety)** - No objection. Suggests conditions to minimise disruption during the construction process.
- 5.12 **Southern Water** – No objection. Suggests a note to applicant make the developer aware of the formal requirement to connect to the public sewerage system.
- 5.13 **SCC Housing Development** - Supports the application. The current proposal and would add to the city's overall housing stock.
- 6.0 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 issues
- 6.2 The application needs to be assessed in light of the key issues as listed above and having regard to the planning history of the site.
- 6.3 Principle of Development
- 6.3.1 The application site is previously developed land and, as such, the principle of redevelopment to provide residential accommodation is acceptable. The application proposes genuine family housing which is welcome.

6.3.2 Core Strategy Policy CS5 recommends a general density range of 50-100 dwellings per hectare in areas of medium public transport accessibility. In this case the density is approximately 44 dwellings per hectare which is reflective of the character of the area. In combination with the frontage conversion, the site yields 46 dwellings per hectare.

6.4 Design and Character

6.4.1 The proposed dwellings would not be readily visible from public vantage points but nonetheless the semi-detached nature and traditional pitched roof design of the scheme is in keeping with the domestic character of properties within the area. Having regard to the current poor condition of the site and the large expanse of tarmac to the rear of the site, it is considered that the proposal would represent an improvement in visual terms.

6.5 Residential amenity

6.5.1 The key consideration in this respect is the relationship of the proposed dwellings with the properties in Rayners Gardens to the north of the site. The application proposal has been amended since first submitted. The overall footprint of the dwellings has been reduced by approximately 40 sq.m and in particular the depth of the buildings has been reduced by 3.6 metres. This reduces the massing of the building when viewed from the neighbouring properties.

6.5.2 There is between a 10 and 12 metres separation between the side gable wall of the proposed dwellings and the neighbouring properties in Rayners Gardens which is slightly less than the 12.5 metres separation recommended by the Residential Design Guide. The change in levels across the site assists in mitigating the impact of the shorter separation distance on the neighbouring properties. Furthermore, it is important to note that the application proposes a scheme of a lesser scale and density than the extant planning permission for nine flats. On balance, therefore, the relationship of the proposal with the neighbouring residential properties is considered to be acceptable in principle.

6.6 Residential Standards

6.6.1 The applicant has submitted a Noise Report with the application which recommends that the buildings are constructed to reduce the impact of road transport noise from Thomas Lewis Way on future occupants. A planning condition is suggested to secure the mitigation methods and as such the Environmental Health Officer has raised no objection to the proposal.

6.6.2 Approximately 96sq.m of private and useable amenity space would be provided for plot A and 70sq.m for plot B. This accords with the Council's amenity space standards. Whilst the site lies adjacent to Thomas Lewis Way and is subject to noise disturbance from the adjacent road, the elevated position of the gardens in relation to the road is considered to provide an acceptable residential environment.

6.6.3 Purpose built storage for cycles and refuse containers would be provided to the rear of the properties and a containers could be removed to a collection point via a rear access path. The site is not large enough to accommodate a refuse

collection vehicle and therefore a condition is suggested to secure a collection point for refuse containers and a refuse management plan to address how containers would be moved to and from the point on collection days.

6.7 Parking and Highways

6.7.1 The development provides the maximum number of car parking spaces permitted by adopted car parking standards for this area of Medium Accessibility to public transport. The site also lies in close proximity to a Local Centre served by buses and as such the level of car parking is considered to be acceptable. Whilst the scheme would prevent the delivery of 9 flats under planning permission 09/00681/FUL, the scheme introduces a less intensive form of development and the provision of family housing. This is considered to be an acceptable compromise solution.

6.7.2 The proposal would use the existing access to the site, although there would be a significant reduction in the number of vehicle movements when compared with the existing use for 11 car parking spaces. As such, the proposal would represent a betterment in highway safety terms.

7.0 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 create a visual improvement at the rear of the site.

8.0 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), (n), (t), 9 (a), 10(a)

JT for 16/08/11 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; 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 - 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.

05. 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.

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

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

Reason:

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

07. 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 and the existing dwelling 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

08. 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 alteration),
Class C (other alteration to the roof),
Class D (porch),
Class E (curtilage structures), including a garage, shed, greenhouse, etc.,
Class F (hard surface area)

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.

09. APPROVAL CONDITION - No other windows or doors other than approved in specific location [Performance Condition]

Unless the Local Planning Authority agree otherwise in writing and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking or re-enacting that Order) in relation to the development hereby permitted, no alternative or additional windows (including roof windows or dormer windows), doors or other openings other than those expressly authorised by this permission shall be constructed on the northern first floor side elevation other than those illustrated on the drawings hereby granted consent without the prior written consent of the Local Planning Authority.

Reason:

To protect the amenity and privacy of the adjacent property.

10. APPROVAL CONDITION – Obscure Glazing [performance condition]

The windows above ground floor level in the west and north facing elevations shall be shall be non-opening and obscurely glazed up to a height of 1.7 metres from the internal floor level prior to the occupation of the dwellings and thereafter retained in this manner.

Reason:

In the interests of the privacy of the neighbouring occupiers

11. APPROVAL CONDITION – Refuse and Cycle Storage [performance condition]

The stores for the refuse containers and cycles and the access to them shall be provided in accordance with the details hereby approved before the development first comes into occupation and thereafter retained as approved.

Reason:

To secure a satisfactory form of development

12. 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. No refuse containers shall be left on the property frontage apart from on collection days.

Reason:

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

13. APPROVAL CONDITION - Code for Sustainable Homes Residential Development [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 20% 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).

14. APPROVAL CONDITION – Attic space

That unlabelled attic space in the front part of the roof slope facing the rear of 30-32 High Road shall not be developed to provide any additional or expanded habitable room in either dwelling hereby approved.

Reason:

Having regard to the limited car parking provided for each dwelling and in order to avoid overlooking of the retained garden areas of 30-32 High Road.

15. 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.

Note to Applicant

Southern Water – Public Sewerage: A formal application for connection to the public sewerage is required in order to service this development. Please contact Southern Water's Network Development Team (Wastewater) based in Otterbourne or www.southernwater.co.uk.

POLICY CONTEXT

Core Strategy - (January 2010)

CS4	Housing Delivery
CS6	Housing Density
CS13	Fundamentals of Design
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change

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
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP13	Resource Conservation
SDP14	Renewable Energy
H1	Housing Supply
H2	Previously Developed Land
H7	The Residential Environment
TI2	Vehicular Access

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)

Other Relevant Guidance

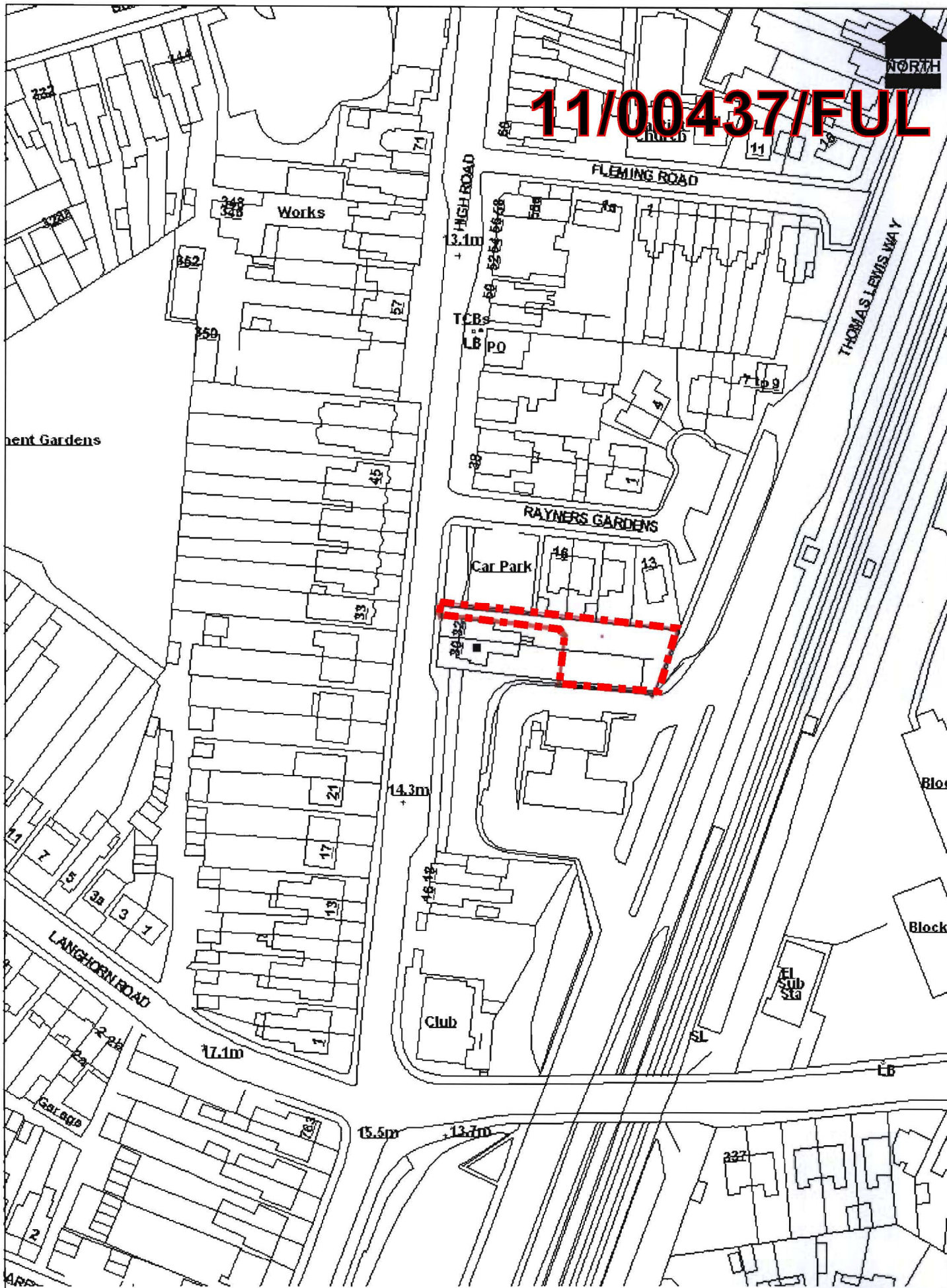
PPS1 Delivering Sustainable Development (February 2005)
PPS3 Housing (November 2011)
PPG13 Transport (2011)
PPS22 Renewable Energy (August 2004)

Relevant Planning History

1626/M10 Change of use to offices	Refused 01.02.83
891056/W Change of use to offices with elevational alterations	Refused 30.08.89
892320/W Change of use to offices with elevational alterations	Conditionally Approved 03.01.90
981203/W Construction of a 3 storey rear extension and conversion of existing premises to provide 4 no. 2 bed flats and 3 no 1 bed flats with associated car parking and amenity space	Conditionally Approved 30.03.99
04/00117/FUL Renewal of planning ref 981203/21539/W for the erection of a three storey rear extension to convert existing premises into 7 no. self contained flats	Conditionally Approved 04.11.04
07/01966/FUL Redevelopment of the site. Demolition of the existing buildings and erection of a three-storey building to provide 11 flats (7x one bedroom and 4x two bedroom units) with associated parking and access arrangements	Refused 28.02.08 and Appeal Dismissed
09/00681/FUL Re-development of the site, erection of a three-storey building to provide 9 flats (6 x one bedroom, 3 x two bedroom) with associated parking and amenity space, following demolition of the existing building	Conditionally Approved 16.11.09
11/00436/FUL Two storey side and rear extensions and new front bay windows to facilitate conversion of existing offices into 2 houses (1x4-bed and 1x5-bed) with associated cycle/refuse storage.	Conditionally Approved 18.07.11

11/00437/FUL

NORTH



Scale : 1:1250

Date : 04 August 2011

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