

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

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| Application address: 130 Portsmouth Road, SO19 9AP | | | |
| Proposed development: Erection of a part single-storey, part three-storey rear extension to facilitate conversion from a three bedroom dwelling to 5 flats (4x two-bed and 1x three-bed) with car parking to the front and rear. | | | |
| Application number | 11/00802/FUL | Application type | FUL |
| Case officer | Andrew Gregory | Public speaking time | 5 minutes |
| Last date for determination: | OVER | Ward | Woolston |
| Reason for Panel Referral | Referred by the Planning & Development Manager | Ward Councillors | Cllr Cunio Cllr R Williams Cllr Payne |

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| Applicant: Silkstead Developments Ltd | Agent: Paris Smith LLP |
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| Recommendation Summary | Conditionally Approve |
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Reason for Granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Overall the scheme is acceptable and the level of development proposed will not result in an adverse impact on the amenities enjoyed by surrounding occupiers or to the character and appearance of the area. A suitable balance has been achieved between securing additional housing, parking, on-site amenity space and landscaping, whilst ensuring that existing residential amenity is protected. Other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004 Planning Permission should therefore be granted.

Policies SDP1, SDP4, SDP5, SDP7, SDP9, H1, H2 and H7 of the City of Southampton Local Plan Review (March 2006) and Policies CS4, CS5, CS13, CS16, CS19, CS20 of the Local Development Framework Core Strategy (January 2010); National Planning Guidance contained within PPS1 (Delivering Sustainable Development), PPS3 (Housing 2010) and PPG13 (Transport) are also relevant to the determination of this planning application.

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| Appendix attached | | | |
| 1 | Development Plan Policies | | |

Recommendation in Full

Conditionally Approve

1. The site and its context

- 1.1 The application site has an area of 0.05 hectares and comprises a two-storey detached Edwardian dwelling house with double bay frontage. The property is currently vacant following recent fire damage. A driveway runs to the side of the property with vehicular access onto Portsmouth Road. The rear garden contains a detached outbuilding. A Lawson cypress and hedge form the rear boundary. Hedgerow and neighbouring commercial buildings form the side boundaries, with a wall enclosing the front of the site.
- 1.2 The surrounding area is predominantly residential in nature comprising two-storey dwelling houses and bungalows to the west of the site. However the adjacent site at 128 Portsmouth Road is occupied for commercial use by a contract cleaning business, with buildings set back from the road frontage and forecourt parking to the front.
- 1.3 TRO restrictions are in place on the southern side of Portsmouth Road with no waiting 8am-6pm Monday – Saturday. The site is located within an area of medium accessibility in respect of public transport accessibility. Bus stops for east and westbound buses are located approximately 130m to the east on Portsmouth Road.

2. Proposal

- 2.1 The application seeks full planning permission to extend and convert the existing dwelling house into 5 flats (4x two-bed and 1x three-bed). The existing building will be retained with the addition of a part two-storey and part single-storey rear extension.
The two-storey extension will align with the rear building line of the neighbouring house at 132 Portsmouth Road. The extension will have a pitched roof edge framing a flat roof. The roof is proposed to be finished in slate with solar panels sitting on the flat roof. The main elevations will be finished with face brick.
- 2.2 The main entrance is located within the side elevation of the building with the existing front entrance door fixed shut. The ground floor would comprise a 2-bed unit at the front and 3-bed unit at the rear. The second floor would comprise 2 x 2-bed units. An additional 2-bed unit would be provided in the roof to be served by roof lights.
- 2.3 Four on-site car parking spaces are proposed to serve the development. The frontage will provide 1 car parking space and a vehicle turning area. 3 car parking spaces will be provided to the rear and accessed via the side driveway. The access into the site will be widened to 5 metres to allow 2 vehicles to pass at the site entrance.
- 2.4 The rear garden will be split into 3 amenity areas: A communal lawn with an area of 70 square metres at the rear; a private garden to serve the ground floor 3-bed flat with an area of 30 square metres; and, a communal drying area with an area of 30 square metres.
Additional tree planting will be provided at the rear. Bin and bike storage is provided at the rear and a bin collection point is provided at the front.

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.
- 3.3 The policies of the South East Plan, Southampton’s Core Strategy and Local Plan Review have been taken into account in the consideration of this application. The Core Strategy is in general conformity with the South East Plan, and it is not considered that the policies in the South East Plan either conflict with or add particular weight to the policies in the Core Strategy for this application. Consequently only the local statutory development plan policies (Core Strategy and Local Plan Review) have been cited in this report.
- 3.4 The proposal involves the development of garden land and therefore the application needs to be considered against the recent changes to PPS3 which have removed private residential gardens from the definition of previously developed land. However whilst there is clearly an increased focus on delivering the majority of new housing on previously developed land, national and local planning policy does not prevent the delivery of housing on undeveloped land, where appropriate. Consideration must be given to making the best use of land, impact on the character and appearance of the area and the promotion of development in sustainable locations to reduce the pressure for development on green field sites and protected open spaces.

4. Relevant Planning History

- 4.1 There is none.

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. At the time of writing the report **151** representations have been received from surrounding residents and a local Ward Councillor.

Summary of Representations made

- Overdevelopment of the site
- Overlooking of nearby properties
- Loss of trees and screening
- Light and noise pollution from the proposed parking area
- Insufficient parking provision leading to displacement parking within nearby roads
- Additional traffic and congestion within Portsmouth Road
- Loss of existing family dwelling house
- Scale, bulk and massing of the extension and formation of flatted development is not in keeping with the area.
- Sufficient bin storage provision must be made to prevent harm to the visual amenities of the area.

Summary of Consultation comments

- 5.2 **SCC Highways** – No objection subject to a condition to secure sufficient sightlines.
- 5.3 **SCC Sustainability Team** – No objection subject to a condition to secure code level 3 of the *code for sustainable homes* and a 20% reduction in CO₂ emissions
- 5.4 **SCC Environmental Health (Pollution & Safety)** – No objection subject to a condition to control hours of work.
- 5.5 **SCC Ecology** – Despite the fire it is a possible that the building may be suitable for bat roosts so care must be exercised when breaking into the roof. Should there be a need to re-roof the building the old roof should be removed by hand. It is recommended that an informative be added advising that if bats are discovered whilst the building is being renovated work must stop and advice sought from Natural England on how to proceed.
- 5.6 **SCC Trees** – No objection. On the rear boundary of this site there is a Lawson cypress and hedge which act as screening. This should be retained to protect the privacy of neighbouring properties. There are no other trees on site worthy of protection or retention. The large apple tree has a large cavity with significant decay. Conditions are recommended to secure landscaping details and to safeguard the planting on the rear boundary.
- 5.7 **Southern Water** – No objection subject to condition to secure details of means of foul and surface water disposal. An informative should be applied regarding connection to the public sewer network.

6. Planning Consideration Key Issues

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

6.2 Principle of Development

- 6.2.1 The proposed extension and conversion of this dwelling into 5 self contained flats is acceptable in principle and accords with policies contained within the development plan and central government's wishes to promote sustainable and efficient use of land for housing development providing that the character of the area is not compromised.
- 6.2.2 The proposed level of residential development has a density of 96 dwellings per hectare; which accords with Policy CS5 of the Core Strategy which advocates a density range of between 50-100dph in areas of medium accessibility such as this. In any event, it is considered that density should not be an arbitrary figure that defines the manner in which the City develops. Instead, density should be taken as a guide to the appropriateness of a scheme; if a residential layout and design is considered to be appropriate for its context (as is the case here) it is these assessments that should prevail.
- 6.2.3 The provision of 5 flats (4x two-bed and 1x three-bed) will provide a greater choice and mix of accommodation within this community, in accordance with central

government planning guidance on housing development (PPS3). The provision of a wholly flatted development in this location is acceptable and will not affect the character or appearance of the area. The development has made provision for a replacement 3-bed family dwelling on site (with direct access to private amenity space which is fit for purpose) in accordance with policy CS16 of the Core Strategy.

6.3. Residential design and impact on established character

- 6.3.1 The proposed two-storey extension has a length of rear projection of 9 metres and it is acknowledged that this is a sizable addition to the host property. However the limited depth of the existing building in comparison to neighbouring buildings provides opportunity to extend the building without compromising the spatial character of the area. The resultant length of two-storey rear projection will be no deeper than the existing rear building line of dwellings to the east.
- 6.3.2 Three car parking spaces and associated access have been provided at the rear in order to meet the travel demands of the development this has meant that the overall level of site coverage of buildings and hard surfacing is 74%. This level of site coverage is not considered harmful given that the building to plot size ratio is comparable to neighbouring plots and also given that the development achieves in excess of the minimum amenity space standards contained within the Residential Design Guide SPG with 130 square metres of amenity space, including 30 square metres of private space for the ground floor 3-bedroom unit. Please note that the sustainability checklist submitted in support of this application indicates that permeable paving and water butts will be incorporated to reduce surface water run-off.
- 6.3.3 The proposal seeks to retain and refurbish the existing character property, rather than opting for full redevelopment. Retention of the existing building will help to preserve the existing Portsmouth Road street scene. The roof design, ridge and eaves height respects the scale of the existing building. The extension will be apparent when looking east along Portsmouth Road but will not detract from the visual amenities of the area subject to the agreement of a suitable materials palette (to be agreed by condition).
The proposal seeks to provide accommodation in the roof space which is an efficient use of space and symptomatic of modern housing. The loft space offers genuine usable accommodation as shown on the submitted roof sections.

6.4 Impact on Residential Amenity

- 6.4.1 The residential amenities of neighbouring residents will not be adversely harmed. The proposed development will not give rise to a harmful sense of enclosure, loss of light, shadowing or overlooking / loss of privacy.
- 6.4.2 The extension will respect the rear building line of No. 132 Portsmouth Road and is compliant with the 45-degree test in relation outlook and daylight to the neighbouring rear first-floor window serving that property. Consideration has been given in respect of the outlook from the velux windows within the roof accommodation; the windows within the east facing roof slope will have an outlook across the neighbouring roof slope and will not give rise to unreasonable overlooking of the rear garden; the rear velux windows will have a typical rear aspect across the development site; the west facing velux windows facing 128 Portsmouth Road will be obscure glazed on the basis that they serve bathrooms.

- 6.4.3 The development exceeds the minimum back to back privacy distances contained within the Residential Design Guide of 28 metres, with 45 metres achieved between the nearest habitable room windows within Temple Gardens. The Residential Design Guide does not provide guidance on the separation distance from windows to neighbouring gardens however 20 metres is achieved, which is considered an acceptable separation distance and comparable to the established layout of buildings and gardens within the area.
- 6.4.4 The existing planting within the rear garden will be retained and secured through condition.
- 6.4.5 The frontage forecourt of 128 is already enclosed and in shadow during the morning from the existing property, the proposed extension will have a negligible impact in terms of increased shadowing. The upper floor windows in the side elevation will be obscure glazed to prevent unreasonable overlooking of no. 128. The development would not unreasonably prejudice the future development of no. 128 which could be pulled forward to respect the building line of the proposed development or set back to respect the building line of the bungalows to the west.
- 6.4.6 The proposed rear car parking area will not lead to unreasonable noise nuisance or light pollution. The car parking has been set off the boundaries with neighbouring residential gardens and the level of vehicle trips generated from those 3 spaces will be limited. No objection has been raised by the Council's Pollution & Safety Team on noise grounds. A planning condition will be added to ensure that external lighting of the car parking area is carefully considered to prevent unreasonable light pollution.

6.5 Residential Standards

- 6.5.1 In amenity terms the residential environment proposed for the potential occupants is acceptable. The internal layout is compatible with modern living standards and all habitable rooms are served by natural lighting and ventilation.
- 6.5.2 The amenity space provision is acceptable in terms of amount, quality and usability. Each flat is provided with a minimum of 20 square metres per unit within an attractive private landscaped rear garden that is fit for its intended purpose, as advised within the Council's Residential Design Guide.

6.6 Highway Issues

- 6.6.1 The application site is located within an area, which is defined as a medium accessibility zone; this is defined in relation to principle bus routes and railway stations. The level of parking provision proposed needs to be assessed against the parking standards set within the adopted local plan. The development proposes 4 parking spaces which accords with the Council's maximum parking standards. This is the maximum permissible (0.75 spaces per unit).
- 6.6.2 Central Government advice on car parking (PPG13) advises that applicants should not provide more parking than they wish (Paragraph 50 refers) other than in exceptional circumstances which might include for example where there are significant implications for road safety.

6.6.3 Highways Development Management is satisfied that the level of parking provision and access arrangement will not prejudice highway safety. The bin storage and cycle storage provision is also acceptable.

7. Summary

7.1 Overall, the scheme is acceptable and the level of development proposed will not result in an adverse impact on the amenities enjoyed by surrounding occupiers or to the character and appearance of the area. The proposal is consistent with adopted local planning policies. A suitable balance has been achieved between securing additional housing, parking, on-site amenity space and landscaping, whilst ensuring that existing residential amenity is protected.

8. Conclusion

8.1 By applying the recommended conditions, the proposal would be acceptable. The application is therefore recommended for conditional approval.

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1(a), 1(b), 1(c), 1(d), 2 (b), 2 (d), 4(f), 5 (e), 6(c), 6(f), 6(h), 7 (a), 7(e), 7 (n), 8(a), 9(a), 10 (a) and 10(b)

AG 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 - Samples details of building materials to be used [Pre-Commencement Condition]

No work for the construction of the buildings hereby permitted shall commence unless and until details and samples of the materials and finishes to be used for the external walls, windows, doors and roof of the building have been submitted to and approved in writing by the Local Planning Authority. Development shall be implemented only in accordance with the agreed details.

Reason:

To enable the Local Planning Authority to control the development in detail in the interest of the visual amenities of the locality and to endeavour to achieve a building of high visual quality.

03. 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.

04. APPROVAL CONDITION - sight lines

Notwithstanding the provisions of the Town and Country Planning General Development Order 1995 (as amended) no fences walls or other means of enclosure including hedges shrubs or other vertical structures shall be erected above a height of 0.6m above carriageway level within the sight line splays.

Reason:

To provide safe access to the development and to prevent congestion on the highway.

05. APPROVAL CONDITION - Car parking

The car parking area shown on the approved drawing shall be laid out and surfaced before the use hereby permitted commences and shall thereafter be kept clear and maintained at all times for that purpose.

REASON

To prevent obstruction to traffic in neighbouring roads.

06. APPROVAL CONDITION - Bicycle storage

The development to which this consent relates shall not be brought into use in full or in part until secure, enclosed and covered space has been laid out within the site for a minimum of 5 bicycles to be stored for the benefit of the residents/staff in accordance with the approved plans. The cycle storage hereby approved shall thereafter be retained on site for that purpose.

REASON: To encourage cycling as a sustainable form of transport.

07. APPROVAL CONDITION - Refuse & Recycling Bin Storage – [Pre Occupation Condition]

Bin storage shall be laid out with a level approach prior to the first occupation of the development hereby approved in accordance with the approved plans. The facilities shall include accommodation for the separation of waste to enable recycling. The bins shall be stored in the area to the rear of the site, as shown on the plans hereby approved, and shall only be moved to the front of the site on the day of/evening before collection. The bins shall be returned to the approved stores on the day of collection and shall not be left on the site frontage for the remainder of the week.

REASON

In the interests of the visual amenities of the area.

08. APPROVAL CONDITION - Code for Sustainable Homes Residential Development [Pre-Occupation Condition]

Written documentary evidence demonstrating that the new build development will achieve at minimum Level 3 of the Code for Sustainable Homes, including at least 20% 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).

09. APPROVAL CONDITION - Renewable Energy (Pre-Commencement Condition)

Prior to development of this proposal commencing full details of the renewable energy systems to be incorporated within the development shall be submitted to and agreed in writing with the Local Planning Authority. The details should include the full specification of the photovoltaics and air source heat pumps which shall achieve the agreed target of 20% reduced CO2 emissions as detailed within the agreed submitted energy assessment.

REASON:

To reduce the impact of the development on climate change and finite energy resources and to comply with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

10. 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.

11. APPROVAL CONDITION - vegetation retention and protection [Pre-Commencement Condition]

No development, including site works of any description, shall take place on the site unless and until all the existing bushes, shrubs, and hedgerows to be retained on the site have been protected by a fence to be approved in writing by the Local Planning Authority erected around each area of vegetation at a radius from the stem or stems of 5 metres or such other distance as may be agreed in writing by the Local Planning Authority. Within the area so fenced off the existing ground levels shall be neither raised or lowered and no materials, temporary buildings, plant machinery, rubble or surplus soil shall be placed or stored thereon without the prior written approval of the Local Planning Authority. If any trenches for services are required in the fenced off areas they shall be excavated and backfilled by hand and any roots encountered with a diameter of 25mm or more shall be left un-severed.

Reason:

To ensure the retention and maintenance of vegetation which is an important feature of the area.

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

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

Reason:

To ensure satisfactory drainage provision for the area.

13. APPROVAL CONDITION - Glazing panel specification

The windows in the upper floors of the west elevation shall be glazed in obscure glass with restricted opening. The window as specified shall be installed before the development hereby permitted is first occupied and shall be permanently maintained in that form.

REASON:

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

14. 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 Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Overall the scheme is acceptable and the level of development proposed will not result in an adverse impact on the amenities enjoyed by surrounding occupiers or to the character and appearance of the area. A suitable balance has been achieved between securing additional housing, parking, on-site amenity space and landscaping, whilst ensuring that existing residential amenity is protected. Other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004 Planning Permission should therefore be granted.

Policies SDP1, SDP4, SDP5, SDP7, SDP9, H1, H2 and H7 of the City of Southampton Local Plan Review (March 2006) and Policies CS4, CS5, CS13, CS16, CS19, CS20 of the Local Development Framework Core Strategy (January 2010); National Planning Guidance contained within PPS1 (Delivering Sustainable Development), PPS3 (Housing 2010) and PPG13 (Transport) are also relevant to the determination of this planning application.

Notes to Applicant:

01. Southern Water – Public Sewerage - Informative

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.

02. If bats are discovered whilst the building is being renovated work must stop and advice sought from Natural England on how to proceed.

POLICY CONTEXT

Core Strategy - (January 2010)

| | |
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| CS13 | Fundamentals of Design |
| CS19 | Car & Cycle Parking |
| CS20 | Tackling and Adapting to Climate Change |
| CS22 | Promoting Biodiversity and Protecting Habitats |

City of Southampton Local Plan Review – (March 2006)

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| SDP1 | Quality of Development |
| SDP4 | Development Access |
| SDP5 | Parking |
| SDP7 | Urban Design Context |
| SDP9 | Scale, Massing & Appearance |
| SDP10 | Safety & Security |
| SDP11 | Accessibility & Movement |
| SDP12 | Landscape & Biodiversity |
| SDP13 | Resource Conservation |
| SDP15 | Air Quality |
| SDP16 | Noise |
| SDP17 | Lighting |
| NE4 | Protected Species |

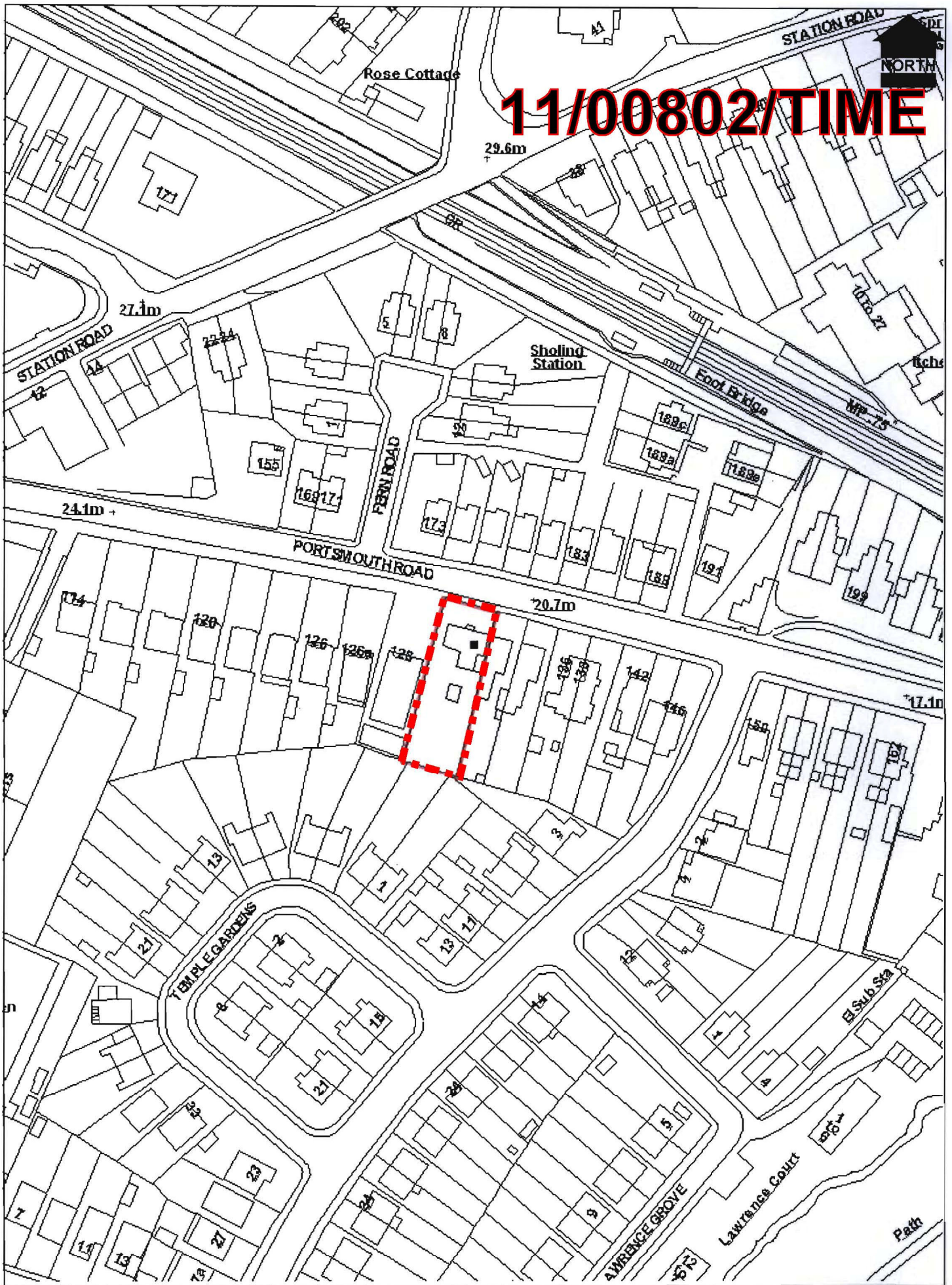
Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)

Other Relevant Guidance

| | |
|-------|---|
| PPS1 | Delivering Sustainable Development (2004) |
| PPS3 | Housing |
| PPG13 | Transport (2011) |

11/00802/TIME



Scale : 1:1250

Date : 04 August 2011

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