

**Southampton City Planning & Sustainability  
 Planning and Rights of Way Panel meeting 20 December 2011  
 Planning Application Report of the Planning and Development Manager**

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| <b>Application address:</b><br>Land rear of 63 Manor Farm Road, SO18 1NR  |  |                             |   |
| <b>Proposed development:</b><br>Redevelopment of the site, erection of 2 x 1-bedroom single storey dwelling houses with associated parking, cycle and refuse storage. |  |                             |   |
| <b>Application number</b>   | 11/01448/FUL                                 | <b>Application type</b>     | Minor   |
| <b>Case officer</b>   | Bryony Stala                                 | <b>Public speaking time</b> | 5 minutes                                     |
| <b>Last date for determination:</b>   | 03.11.2011                                   | <b>Ward</b>                 | Bitterne Park                                 |
| <b>Reason for Panel referral</b>  | Referral by Planning and Development Manager | <b>Ward Councillors</b>     | Cllr White<br>Cllr Baillie<br>Cllr P Williams |

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| <b>Applicant:</b> Mr Dave Mace | <b>Agent:</b> TKL Architects |
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| <b>Recommendation Summary</b> | <b>Conditionally approve</b> |
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| <b>Appendix attached</b> |                   |  |  |
| 1                        | Planning Policies |  |  |

**Reason for Granting Permission**

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations including its back land siting, design and impact on the character and context of neighbouring sites, the level of car parking, access to the site, the number and layout of units and the amenity and privacy of adjacent occupiers have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus outline planning permission should therefore be granted.

Policies - SDP1, SDP4, SDP5, SDP6, SDP7, SDP9, SDP10, H2, of the City of Southampton Local Plan Review (March 2006) and CS4, CS5, CS13, CS15, CS16, CS19 and CS20 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

**Recommendation in Full**

**Conditionally approve**

## **1. The site and its context**

- 1.1 The application site relates to a plot of land to the rear of 63 Manor Farm Road. The site is accessed from Manor Farm Road via an existing undercroft access and is bounded by 9 residential properties on Nursery Road, St. Catherine's Road and Manor Farm Road.
- 1.2 The topography of the area and the site is sloping and there is a 3m change in levels from a high point at the rear of the site down to the front. The boundaries to the rear of the site are formed of retaining walls where the gardens are at a higher level than the application site.
- 1.3 The site is within a short walking distance to the Bitterne Triangle, a local shopping centre and the large area of open space at Riverside Park. The surrounding area is predominantly residential and is largely comprised of a mix of detached and semi-detached two storey dwelling houses.
- 1.4 The site was previously occupied by a series of workshops and outbuildings which are recorded as being on site prior to the appointed day records of 1947. Some of these structures remain to the present day. Planning records indicate that the lawful use of the site is light industry (Class B1(c)).
- 1.5 The existing detached house to the front of the site gained planning permission for conversion to two flats in the 1960's. The flats have independent access and the ground floor flat benefits from parking to the rear of the site.

## **2. Proposal**

- 2.1 The application seeks full planning permission for two single storey one bedroom dwellings.
- 2.2 The dwellings are contemporary in appearance, of simple flat-roof design, with elevations articulated with elements of timber panelling. The footprint of the building responds to the unusual shape of the site. Each property would have a dual aspect with at least one aspect overlooking a private amenity area. The dwellings incorporate a sedum roof.
- 2.3 Three car parking spaces would be provided within the rear of 63 Manor Farm Road, one space being retained for the existing ground floor flat at 63 Manor Farm Road and two provided for the proposed dwellings. Vehicles and pedestrian access the site via the sites existing undercroft access.

### **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 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.
- 3.3 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.
- 3.4 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.
- 3.5 The adopted Core Strategy (in Policy CS4 Housing Delivery) indicates that 16,300 additional homes will be provided over the plan period, with 5,750 homes to be provided on allocated and identified sites between April 2009 and March 2014. The figures demonstrate that the city has a housing supply from identified sites sufficient to meet requirements until and beyond 2018/19, without reliance on windfall sites. The change to the definition of PDL, and the Council’s current predicted supply, means that the principle of development will now be an issue for new windfall proposals for housing units to be built entirely on private residential gardens (often termed “garden grab”).
- 3.6 That said, the revised PPS3 maintains that the planning system should provide “*a flexible, responsive supply of land that is managed in a way that makes efficient and effective use of land, including re-use of previously-developed land, where appropriate*” (Paragraph 10 refers). The national annual target that “*at least 60 per cent of new housing should be provided on previously developed land*” remains, suggesting that residential development can still take place on other land subject to the local circumstances of each site involved.

3.7 It is the view of the Council's Planning Policy Team that the recent changes to PPS3, along with the removal of the national indicative minimum density standards, are not intended to stop all development on private residential gardens. Instead it allows Councils greater powers to resist such development where there is a demonstrable harm to the character and appearance of an area. The judgement as to whether such proposals are acceptable will need to consider, amongst other factors:

- the loss of private residential garden land;
- the contribution the land currently makes to the character of the area;
- the impact on the defined character of the area; and,
- the contribution that the scheme makes to meeting housing need.

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

#### **4.0 Relevant Planning History**

4.1 The appointed day records (1947) list 63 Manor Farm Road as being occupied by a 2 storey dwelling to the front with workshops and store sheds to the rear.

4.2 Established use of the land for light industry prior to 1961.

4.3 342/38/63 - Conversion of 63 Manor Farm Road into two flats – Approved. 23.01.1968.

4.4 1391/P26 – The erection of a single storey light industrial building to replace those existing at the rear of 63 Manor Farm Road - Approved. 14.04.1970.

4.5 1440/100 – Erection of an addition to the existing workshop building at rear of 63 Manor Farm - Refused. 27.06.1972.

#### **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 61 adjoining and nearby landowners, placing a press advertisement and erecting a site notice. At the time of writing the report **14** representations have been received from surrounding residents.

#### **5.2 Summary of Representations made**

- Concern regarding boundary walls in terms of their replacement and maintenance.

- The main drains for St. Catherine's Road run through the site. How will this be protected and maintained?
- The proposal for two dwellings is an overdevelopment of the site and out of keeping with the residential building profile of the area. One dwelling would be more appropriate.
- Request that the planning permission requires any future proposal to add a second storey to either of the proposed dwellings to be refused.
- Part of the land has been in use as a garden and it is therefore wrong to categorise the whole site as 'brownfield development'.
- In recent years there has been an erosion of the former character of the immediate locality and deterioration in the residential environment exemplified by factors such as increases in noise, litter and traffic. The proposal within a back garden marks a significant change to the footprint of the immediate neighbourhood and change to the existing urban grain. This is found to be unacceptable.
- Two large areas of rear garden space were established with the original detached house and subsequently allocated to the flats when converted. This is not considered in the submission. Up until recently there were mature fruit trees and a fir tree in an enclosed area at the rear of 102 St. Catherine's Road which were removed in 2009.
- If approved the proposal would offer a significant departure from this existing urban grain and a significant departure from the footprint of the immediate neighbourhood.
- The proposed building and material styles do not appear to be in keeping with the surrounding homes.
- It is considered that the scale of this development of residential infilling and loss of garden space will work against the city's ambition to create 'sustainable mixed communities' and as a consequence encourage families to move of the city.
- The proposal has been developed with little understanding of the context of the immediate area.
- Increase in parking in the immediate area
- Increased loss of privacy, noise and disturbance to neighbouring dwellings during both the building and the intensified use of the site as a 24/7 living area.
- Land levels vary between the site and neighbouring dwellings.
- PPS3 loss of garden land should be a consideration.
- Do the proposed units receive appropriate levels of light given the adjacent boundary heights?
- Should the application be approved it is requested the restricted working hours are imposed.

These matters are addressed in Section 6 of this report.

### 5.3 Summary of Consultation comments

- **SCC Highways** – No objection raised.
- **SCC Environmental Health** – No objection raised.
- **SCC Contamination** – No objections raised.

- **SCC Sustainability** – No objections raised.
- **Southern Water** – Awaiting response from applicant on Southern Water comments. To be updated at the Planning and Rights of Way meeting.

## **6.0 Planning Consideration Key Issues**

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

### **Principle of development**

- 6.2 The history of the site identifies the authorised use of the application site as light industry. Representations received from local residents have identified that a section of the land forming part of the application site (between the boundaries of 61 Manor Farm Road and 102 St. Catherine's Road) has recently been in use as a garden to serve the first floor flat of 63 Manor farm Road. The applicant has confirmed that whilst the deeds describe the use of the land as 'works', the area of land in question is left over space from the workshops and allowed it to be used as a garden to serve the first floor flat of 63 Manor Farm Road. However, this was an informal arrangement for which Planning permission would have been required to change the use of the land from light industry to garden land. As no such application was ever received and in the absence of a lawful development certificate the authorised use of this area of the application site remains part of the sites industrial use.
- 6.3 Notwithstanding the above, the presumption against development on garden land (as advised by the 9<sup>th</sup> July update to PPS3: Housing. PPS3 which indicates that the priority for development is on previously developed land) does not preclude development on land that has been used as a residential garden. Where it can be demonstrated that the existing character is not harmed and the contribution that the garden makes is limited to the character of that site and/or area, planning applications for development on garden land should be considered with regards to the context and character of the surrounding area.
- 6.4 Furthermore, the government's strategic housing and planning policy objectives in PPS3 have not changed. These include increasing sustainable, inclusive and mixed communities and delivering well designed housing in suitable locations. Using land efficiently is still a key consideration in planning for housing (paragraph 45 of PPS3 refers). Good design and layout of new development can lead to a more efficient use of land without compromising the quality of the local environment.
- 6.5 The 'garden area' referred to by neighbours has an area of 88sqm. Neighbours have described the 'garden area' as being used as an orchard with well established trees and vegetation. The site inspection

identified that at present this area is nothing more than scrub land. However, it is accepted that the previous vegetation would have contributed greatly to the back land setting and amenity enjoyed from neighbouring gardens.

- 6.6 The proposed building would occupy 29.14sqm (26%) of this space with the remainder serving as private amenity land for the proposed House 2.
- 6.7 The majority of land that has been previously informally used as garden land is to be retained for garden use. There is opportunity within the proposed garden for planting and landscaping which will give back some of the vegetation that has previously lost, albeit in a more formalised manner.
- 6.8 It is therefore considered that providing the principle of development on this land is accepted in accordance with the provisions of PPS3: Housing.

#### **Design and impact on established character**

- 6.9 The application proposes a single storey, green-roofed structure which concentrates the footprint of development in the area previously occupied by the workshops, albeit with a greater projection to the east and south of the site. The buildings replacement of existing single storey structure will not be significantly different to the previous arrangement of buildings on the site.
- 6.10 The proposed contemporary design approach, whilst noticeably different to the established housing stock within the immediate area, is the most appropriate approach in achieving a development that responds effectively to the unique constraints of the site whilst protecting the amenity of neighbouring properties.
- 6.11 The proposed buildings will not be viewed as part of the Manor Farm Road street scene; although some views will be afforded through the existing access and they will be visible from neighbouring dwellings.
- 6.12 The change in land levels across the site means that the buildings are set at a lower level to the gardens of St. Catherines Road and as such views from neighbouring dwellings will mostly be of the upper wall section and roof of the buildings. The low-rise nature of the dwellings, together with their position being set off the boundary with neighbouring dwellings will ensure that the development would appear as an unobtrusive addition to the site. The proposed sedum roof will generate an elevated landscape that achieves a visual connection from garden to the new build when viewed from the upper windows of neighbouring buildings which further lessens the impact of the development and enhances the visual amenity of the site.

- 6.13 The density of the proposed development, at 30 dwellings per hectare falls below the lowest density levels prescribed by policy CS5 of the Core Strategy. However, the constraints of the site are such that a greater amount of development would be likely to impact detrimentally on neighbours. The provision of two dwelling houses with private amenity land is more appropriate than a higher density solution.
- 6.14 It is judged that the proposal is compliant with PPS3 in terms of seeking high quality design and efficient use of land for housing delivery.

### **Impact on Residential Amenity**

- 6.15 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
- 6.16 Whilst standard privacy distances (as set out in chapter 2 of the Residential Design Guide) are not achieved, the single storey nature of the building, coupled with the change in land levels on site protects the privacy of neighbouring dwellings and prevents overlooking. The appropriate use of boundary treatments will further protect the existing residential amenity of neighbours.
- 6.17 The internal layout of habitable rooms and the arrangement of fenestration has been purposefully designed to ensure that the impact on neighbours in terms of noise and activity associated with a residential dwelling does not adversely impact on their existing residential amenity or compromise privacy.
- 6.18 In order to improve the relationship between proposed House 2 and 102 St. Catherines Road it has been agreed with the applicant that the side (east) window will be removed. Sufficient light can be obtained to the kitchen/living area of house 2 via the patio doors proposed and as such this additional window is not necessary.
- 6.19 There will undoubtedly be an increase in the level of activity associated with the site compared to existing levels, leading to an increase in general noise and traffic movement in and around the site but it is not considered that the site exhibits features normally associated with over-development.
- 6.20 There is some disagreement regarding the ownership of boundaries at the site and neighbours have concern that the works will adversely impact their existing boundary treatments, privacy and security. In order to address this issue it is recommended that a condition requiring all boundary treatments to be agreed prior to the commencement of development is imposed. This will ensure that through negotiations with the developer the local planning authority can ensure that appropriate



boundary treatments are retained or re-providing for each adjoining property.

- 6.21 In addition, a landscaping scheme will be agreed to add a further buffer between the boundaries of the neighbouring properties and the useable amenity area neighbouring dwellings.
- 6.22 External lighting should be carefully considered by condition to prevent harmful light pollution to neighbouring occupiers.
- 6.23 The applicant is aware that there is a drain running across the site which may need to be built over or diverted in order to achieve the proposed development. This matter is being considered in consultation with Southern Water and will be addressed through the Building Regulations process should a development proceed.

### **Residential Standards**

- 6.24 In amenity terms the residential environment proposed for the potential occupants is acceptable. All habitable rooms are afforded appropriate light and outlook and have direct access to private and or usable amenity space.
- 6.25 The amenity space provision is acceptable in terms of amount, quality and usability, with 70m<sup>2</sup> of useable amenity space provided for House 1 and 50m<sup>2</sup> provided for house 2.
- 6.26 Cycle storage and refuse storage is provided for each dwelling in accordance with saved policy SDP5 and section 9 of the RDG. An appropriate collection area for refuse bins is shown on the sites frontage.
- 6.27 The layout of the design accords with secure by design standards and offers good levels of natural surveillance in and around the site.
- 6.28 Subject to the imposition and compliance with relevant conditions, the proposal is considered to accord with saved policies SDP1 and H7 of the development plan, policy CS13 of the adopted Core Strategy and relevant sections of the RDG.

### **Sustainability**

- 6.29 The developer is committed to achieving code for sustainable homes level 3 for the proposed dwellings and a minimum 20% reduction in CO<sub>2</sub> emissions over Building regulations 2010 over the life of the dwellings.
- 6.30 This is to be achieved through a number of fabric measures, photovoltaics and water efficient fittings, appliances and water recycling systems. In addition, the buildings have been designed with a

sedum 'green' roof which will assist with water run off/retention, local biodiversity and has insulation benefits.

- 6.31 The renewable energy features are considered appropriate and will not detract from the appearance of the buildings or affect residential amenity.

### **Highways, access and parking**

- 6.32 The site is located within a low accessibility area but is close to the local centre at Bitterne Triangle and public transport routes serving Portswood district centre and the city centre. The provision of 1 for 1 car parking for two x 1 bed units is compliant with maximum parking standards as set out in the Parking Standards Supplementary Planning Document (September 2011).
- 6.33 Existing on site parking has been retained to serve the ground floor flat of 63 Manor Farm Road.
- 6.34 Sufficient vehicular and pedestrian access can be provided to the proposed dwellings.
- 6.35 It is recognised that intensifying the use of the existing undercroft access will have an impact on the existing residential units at 63 Manor Farm Road. However, the only window within the side elevation is obscured and serves a hallway thus preventing loss of privacy and reducing the potential impact on residential amenity. It is therefore judged that the impact is not harmful.
- 6.36 The location of the car parking spaces is unlikely to result in adverse headlight glare to existing windows during the evening, which will be buffered by the proposed building, landscaping and boundary treatments.

### **7.0 Conclusion**

- 7.1 The addition of two well designed dwelling houses would make a positive contribution to the city's housing stock. The design of the dwellings is responsive to the scale and context of the surrounding area.
- 7.2 The layout of the development provides safe access into and around the site, secure and private garden space and sufficient light and outlook for all. While residential amenity standards (for both the existing neighbouring and proposed dwellings) are met to at least the minimum requirement.
- 7.3 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), 1(b), 1(c), 2(b), 2(c), 2(d), 3(a), 6(c), 6(h), 7(a), 8(a), 9(a), 9(b) 10(a) and 10(b)

**BS for 20.12.2011 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 – Boundary Treatment (Pre-commencement Condition)**

Notwithstanding the development hereby approved, prior to the commencement of development details of all boundary treatments relating to the site must be submitted to the local planning authority and agreed in writing. Details must include the height and materials proposed for each boundary treatment. The development must be built in accordance with the agreed details and thereafter retained at all times.

Reason

To ensure an appropriate standard of privacy and residential amenity for the approved dwellings and adjoining properties.

**04. APPROVAL CONDITION – Cycle and refuse store provision (Pre-Occupation Condition)**

The refuse and cycle storage serving the development hereby approved, and pedestrian access to it, shall be made available prior to the first occupation of the development hereby approved and shall be retained with access to it at all times for the use of the residential units.

Reason

To ensure adequate refuse and cycle storage facilities are provided in accordance with policy SDP1 and SDP5 of the adopted local plan review (March 2006).

**05. 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 (bungalow) 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.,

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.

**06. 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. details of a lighting scheme
- vi 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

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

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

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

On completion of the works set out in (3) a verification report shall be submitted to the Local Planning Authority confirming the remediation actions that have been undertaken in accordance with the approved scene of remediation and setting out any measures for maintenance, further monitoring, reporting and arrangements for contingency action. The verification report shall be approved by the Local Planning Authority prior to the occupation or operational use of any stage of the development. Any changes to these agreed elements require the express consent of the local planning authority.

Reason:

To ensure land contamination risks associated with the site are appropriately investigated and assessed with respect to human health and the wider environment and where required remediation of the site is to an appropriate standard.

**08. APPROVAL CONDITION- Unsuspected Contamination [Performance Condition]**

The site shall be monitored for evidence of unsuspected contamination throughout construction. If potential contamination is encountered that has not previously been identified no further development shall be carried out unless otherwise agreed in writing by the Local Planning Authority.

Works shall not recommence until an assessment of the risks presented by the contamination has been undertaken and the details of the findings and any remedial actions has been submitted to and approved by the Local Planning Authority.

Any changes to the agreed remediation actions will require the express written consent of the Local Planning Authority.

Reason:

To ensure any land contamination not previously identified is assessed and remediated so as not to present any significant risks to human health or, the wider environment.

**09. APPROVAL CONDITION - Use of uncontaminated soils and fill [Pre-Commencement Condition]**

Clean, uncontaminated soil, subsoil, rock, aggregate, brick rubble, crushed concrete and ceramic shall only be permitted for infilling and landscaping on the site. Any such materials imported on to the site must be accompanied by documentation to validate their quality and be submitted to the Local Planning Authority for approval prior to the occupancy of the site.

Reason:

To ensure imported materials are suitable and do not introduce any land contamination risks onto the development.

**10. APPROVAL CONDITION - Energy (Pre-Commencement Condition)**

Written documentary evidence demonstrating that the development will at minimum achieve a reduction in 20% CO<sub>2</sub> emissions [as required in core

strategy policy CS20] over part L of the Building Regulations shall be submitted to the Local Planning Authority and verified in writing prior to the first occupation of the development hereby granted. Technologies that meet the agreed specifications must be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained thereafter.

Reason:

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

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

The dwellings shall achieve a Code Level 3 in accordance with the requirements of the Code for Sustainable Homes: Technical Guide (or such national measure of sustainability for house design that replaces that scheme). No dwelling shall be occupied until a Final Code Certificate has been issued for it certifying that Code Level 3 has been achieved.

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).

**12. 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.

**13. 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.

**14. 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.

**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.

**16. APPROVAL CONDITION - Parking [Pre-Occupation Condition]**

The development to which this consent relates shall not be occupied in full or in part until space has been laid out within the site for 3 vehicles to be parked and for vehicles to turn so that they can enter and leave in a forward gear.

Reason:

To prevent obstruction to traffic in neighbouring roads and in the interests of highway safety

**17. APPROVAL CONDITION - Contractors Compound (Pre-Commencement Condition)**

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

Reason:

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



## **APPENDIX 1**

### **POLICY CONTEXT**

#### Core Strategy - (January 2010)

|      |  |
|------|--|
| CS4  | Housing Delivery   |
| CS5  | Housing Density  |
| CS13 | Fundamentals of Design                                     |
| CS15 | Affordable Housing   |
| CS16 | Housing Mix and Type                                       |
| CS19 | Car & Cycle Parking  |
| CS20 | Tackling and Adapting to Climate Change                    |
| CS25 | The Delivery of Infrastructure and Developer Contributions |

#### City of Southampton Local Plan Review – (March 2006)

|       |                             |
|-------|-----------------------------|
| SDP1  | Quality of Development      |
| SDP4  | Development Access          |
| SDP5  | Parking                     |
| SDP6  | Urban Design Principles     |
| SDP7  | Urban Design Context        |
| SDP8  | Urban Form and Public Space |
| SDP9  | Scale, Massing & Appearance |
| SDP10 | Safety & Security           |
| 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)

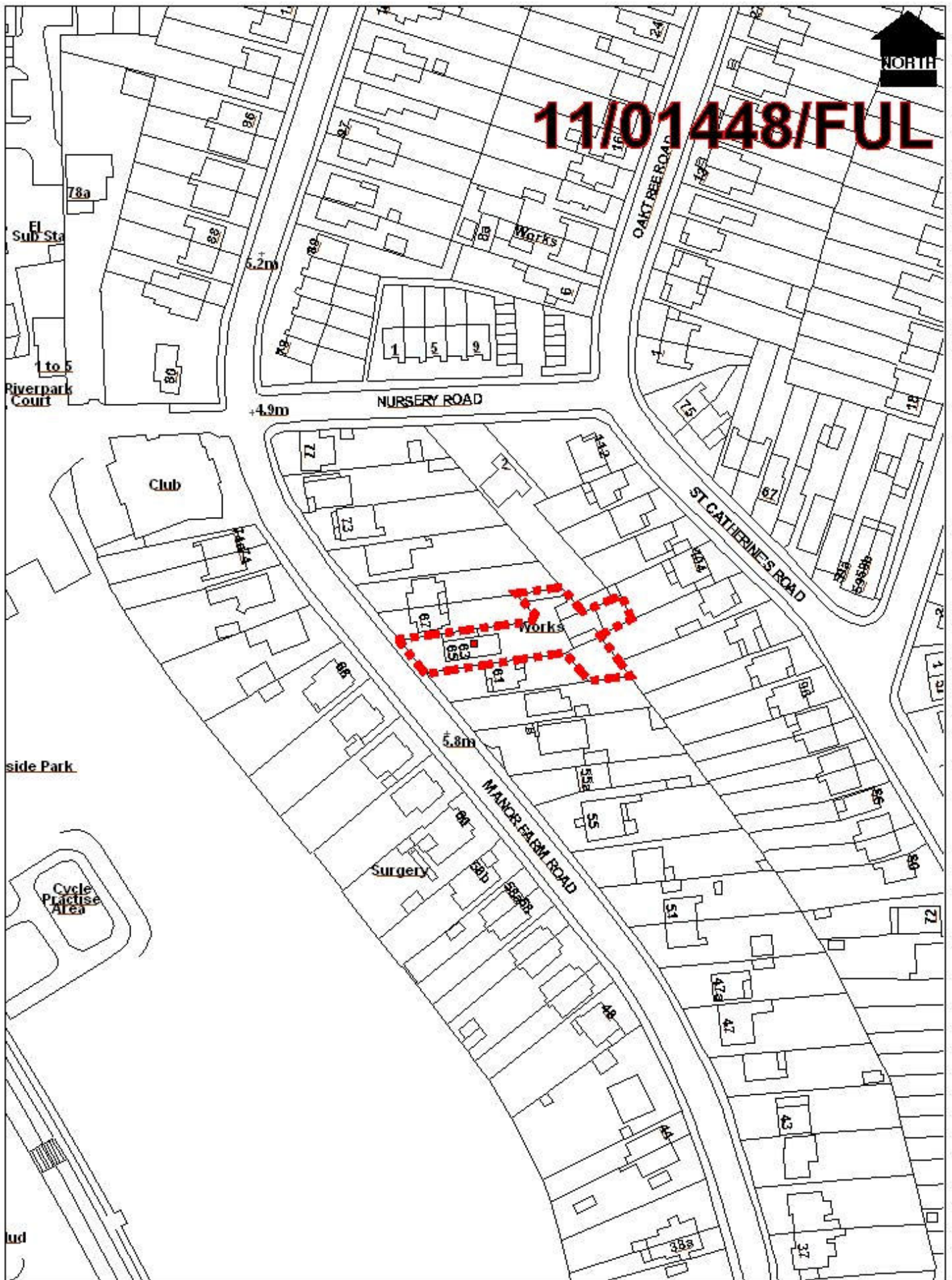
Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 (December 2007)

PPS3 Housing (2010)

PPG13 Transport (2011)



**11/01448/FUL**



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Date 96 December 2011

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