

Southampton City Planning & Sustainability
Planning and Rights of Way Panel meeting 14 February 2012
Planning Application Report of the Planning and Development Manager

Application address: 58 West End Road			
Proposed development: Conversion and extension of the existing building, erection of a new two-storey building on the West End Road frontage and two bungalows fronting Panwell Road to provide a total of 10 residential units (2 x three bedroom houses, 7 x two bedroom flats and 1 x one bedroom flat) with associated parking, vehicular access and landscaping.			
Application number	11/01987/FUL	Application type	Major
Case officer	Andy Amery	Public speaking time	15 minutes
Last date for determination:	22 February 2012	Ward	Harefield
Reason for Panel referral	Major development subject to objection	Ward Councillors	Cllr Fitzhenry Cllr Daunt Cllr Smith

Applicant: D&K Contracting Services Ltd	Agent: Tony Oldfield Architects
--	--

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

Appendix attached			
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 design and impact on the character of the street scene, 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, H7, 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

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

The completion of a S.106 Legal Agreement to secure the following heads of terms which are the subject of a viability assessment:

- i. Financial contributions towards site specific highway improvements in the vicinity of the site in accordance with policies CS18, CS19 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (January 2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended);
- ii. A financial contribution towards strategic transport improvements in the wider area in accordance with policies CS18 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (January 2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended);
- iii. Financial contributions towards the relevant elements of public open space required by the development in line with policies CLT5, CLT6 of the City of Southampton Local Plan Review (March 2006), Policy CS25 of the adopted LDF Core Strategy (2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended) with regard to
 - Amenity Open Space (“open space”);
 - Play Space and;
 - Playing Field.
- iv. Provision of affordable housing in accordance with Policies CS15, CS16 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (January 2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended);
- v. Submission of a highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer;
- vi. A Site Waste Management Plan

That the Planning and Development Manager be delegated power to vary relevant parts of the Section 106 agreement and to add or vary conditions as necessary as a result of the full appraisal of the viability assessment submitted by the applicant and any further negotiations with the applicant.

In the event that the legal agreement is not completed within two months the Planning and Development Manager be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.

1.0 The site and its context

- 1.1 The application site comprises an attractive but currently vacant two storey dwelling house with primary access from West End Road and a

secondary access originally serving a double garage (now demolished) from Panwell Road to the rear. The site fronts the classified West End Road adjacent to the recently completed three storey retirement-flat scheme which is immediately to the south and is in close proximity to Bitterne District Centre and bus stops.

- 1.2 The property benefits from a large garden to its side and rear which includes mature trees covered by TPO's. Although the building is not listed, it dates to between 1883-1896 and is a good surviving example of a late Victorian villa. To the north of the site is a detached dwelling of identical age and design to the application site.
- 1.3 Panwell Road to the rear is an unadopted highway which is not maintained at the public expense. This is currently a single sided road with two storey residential dwellings along the eastern side and rear boundary treatments and ancillary outbuildings of the properties fronting West End Road along its western edge.

2.0 Proposal

- 2.1 The proposed scheme revises a similar scheme recently considered and refused by the Panel. The main revisions to the scheme can be summarised as follows:
 - The rear bungalows have been re-orientated to face within the site and sharing vehicle and pedestrian access from West End Road. No access of any kind is proposed to Panwell Road.
 - The Pine Tree close to the rear (Panwell Road) boundary and the pollarded Chestnut on the side boundary are now to be retained.
 - The frontage parking area and bin store have been redesigned to provide 9 parking spaces (1 disabled) and a lower refuse store built into a raised front boundary wall.
 - A 12m section of side boundary forward of the buildings (car parking area with landscaping) to be a 1.2m high wall with 0.45m trellis above. The next 27.6m section of boundary, between the site and the adjacent property at 60 West End Road, to be a 1.8m high brick wall with 0.45m trellis above.
 - External changes to the position of windows on the rear bungalows to ensure privacy distances are achieved and the windows face onto the amenity space of those properties.

The proposals are otherwise broadly similar and continue to retain the existing building which is recognised as an attractive feature of some character within the existing street.

- 2.2 To the rear, a 1.8m high close-boarded fence, fronting onto Panwell Road.
- 2.3 The scheme continues to provide 1 x three bedroom flat, 7 x two bedroom flats and 2 x three bedroom bungalows. All units are to be managed by a recognised housing association. There are to be 4 shared

ownership units (2 x 2 bedroom bungalows and 2 x 2 bedroom flats) and 6 affordable rented units.

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 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.
- 3.4 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 On June 9th 2010 private residential gardens were excluded from the definition of Previously Developed Land (PDL) in the Government’s Planning Policy Statement on Housing (PPS3). Also, the requirement to achieve a minimum density of at least 30 dwellings per hectare was removed.
- 3.6 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”).
- 3.7 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.

3.8 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.

3.9 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 11/01326/FUL - Conversion and extension of the existing building, erection of a new two-storey building on the West End Road frontage and two bungalows fronting Panwell Road to provide a total of 10 residential units (2 x three bedroom houses, 7 x two bedroom flats and 1 x three bedroom flat) with associated parking, vehicular access and landscaping.

Refused for the following reason:

The proposal is considered to be an overdevelopment of the site as evidenced by the location of the bin store, the loss of the tree subject to a Tree Preservation Order, and is likely to lead to inconvenience to existing residents in Panwell Road due to the two family dwellings be accessed from Panwell Road. The proposals are therefore contrary to Policies SDP1, SDP7 and SDP9 of the City of Southampton Local Plan Review 2006 and CS13 of the Core Strategy 2010.

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 69 adjoining and nearby landowners, placing a press advertisement and erecting a site notice. At the time of writing the report

3 representations including 1 objection have been received from surrounding residents.

Summary of Representations made

- The revised plans do not change the impact on 60 West End Road in particular:
- Loss of light and sunlight to south facing windows. In particular ground floor windows which will be affected by the increased height of the rear extension to the existing house just 2m off the boundary.
- Two windows in flat 6 (first floor) and revised position of windows to one of the bungalows will overlook the garden of No. 60 and result in loss of privacy.
- The forward facing windows in the flats within the extension to the existing building will overlook the lounge window of No. 60 resulting in loss of privacy.
- The new boundary treatment along the side boundary between the site and No. 60 will not provide adequate security or privacy. The entire length of this boundary should be undertaken with a 2m high brick wall.
- The position of the bin store will cause noise and disturbance and odours.
- 9 cars using the West End Road cause additional congestion. This will be in addition to recent nearby approvals which have already had a significant impact.
- The retention of the pollarded Chestnut is welcomed but this requires long term and regular management.
- The existing drainage systems were not designed for developments of this scale.
- The development will be out of character and destroy what was a very attractive building and plot.
- The revised proposals are sensible in taking access from West End Road but a condition must be imposed to prevent any form of access being created from Panwell Road.

These matters are addressed in Section 6 of this report.

Summary of Consultation comments

- **SCC Planning Policy** – No objection raised.
- **SCC Highways** – No objection raised.
- **SCC Environmental Health** – No objection raised.
- **SCC Contamination** – No objections raised.
- **SCC Trees** – No objections raised subject to appropriate landscaping and tree replacement on site.
- **SCC Archaeology** – Given the age of the building it is recommended that provision is made for the building to be recorded prior to its conversion. An appropriate condition is recommended.
- **SCC Sustainability** – No objections raised.
- **SCC Ecology** – No objections raised.
- **SCC Play Services** - No objections raised.
- **SCC Housing** – Support the provision of affordable housing.

- **Southern Water** – No objections raised.

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 proposal would involve the development of garden land which has been recently removed from the definition of previously developed land on the 9th July update to PPS3: Housing. PPS3 indicates that the priority for development is on previously developed land (paragraph 36 refers).
- 6.3 Whilst there is a presumption against development on garden land, where it can be demonstrated that new development would integrate successfully into its surroundings without causing harm and where the contribution that the garden itself makes to the character of the area is limited, planning applications for development on garden land should be considered with regards to the context and character of the surrounding area and the wider objectives of the Development Plan.
- 6.4 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. In addition, 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 council's guidance note on the recent amendment to the definition of garden land within PPS3 states that 'the council is of the opinion that it may be possible to develop land that is within an existing garden if it does not raise new significant issues or impacts. The note goes on to advise that where new development is to be supported, it will have to be demonstrated that the proposal is in keeping with the character of the area by reflecting the existing urban grain.
- 6.6 The proposed new-build element which comprises a two storey building at the front of the site (facing West End Road) provides 4 flats and fills the space between the existing dwelling house and the neighbouring three storey retirement flat scheme to the south. At present this gap is wider than that which typically makes up the spatial character of this section of West End Road. The site provides sufficient room to achieve a building that reflects the scale and proportions of the existing dwelling house, whilst retaining a sufficient gap between the existing and proposed buildings. As such it is judged that the addition of a building within the space responds appropriately to the spatial characteristics of the street scene.
- 6.7 The additional depth of the new build element is focused on the southern boundary away from the single detached house to the north but adjacent

to the larger scale block of retirement flats. The scale and layout of the buildings therefore responds to the recently constructed three storey buildings to the south, whilst maintaining an appropriate scale and depth of development adjacent to the smaller scale building to the north.

- 6.8 The single storey nature of the bungalows to the rear of the site is consistent with development in the rear of neighbouring gardens. The single storey scale of the proposed bungalows is akin to the scale of outbuildings and modestly sized dwellings which add to the spatial characteristics of the immediate area. To the north of Panwell Road a chalet style bungalow has been built within the rear of 2 Chichester Road, fronting and gaining access via Panwell Road whilst other properties have single storey garages fronting Panwell Road.
- 6.9 For these reasons, the layout and footprint of the proposed development is judged to be in context with the surrounding pattern of development and makes efficient use of the land available.
- 6.10 Policy CS5 of the adopted Core Strategy states that the net density level of the site with a public transport accessibility level (PTAL) value of 3 should generally accord with between 50 and 100 dph. As such, the proposed site density of 60 dph accords with the requirements of this policy.
- 6.11 In accordance with policy CS15 of the Core Strategy the developer has committed to provide 20% on site affordable housing. A contribution of 2 units is therefore required. The developer has committed to providing affordable housing on site in accordance with the policy CS15.
- 6.12 The mix of housing type proposed is considered appropriate to the housing needs of the city. Policy CS16 of the Core Strategy requires 30% of the development to be provided as family homes. The site is to be provided as 100% affordable housing with 4 shared ownership units (2 x 2 bedroom bungalows and 2x 2 bedroom flats) and 6 affordable rented units and thus accords with policy CS16.

Design and Impact on established character

- 6.13 The retention of the existing Victorian villa is supported. Whilst not listable, the building is part of the local history of the area and makes a positive contribution to the street scene and the developer's willingness to retain this building is welcomed.
- 6.14 The immediate area of West End Road adjacent to the site has changed in character over a number of years, but the recent development of Churchills retirement home immediately to the south of the site has had a significant impact on this section of the street-scene, as has the conversion of some of the original dwelling houses to the north of the site to commercial uses. That said, the overriding character of the area remains comprised of two storey residential dwellings.

- 6.15 The proposed buildings which maintains the two-storey height and scale along the site frontage is compatible and in keeping with the existing scale of housing development within the area. The accommodation mix includes single-storey bungalows which have been incorporated on the basis of housing need but also to ensure the scale of development is reduced when in close proximity to adjoining gardens and houses opposite.
- 6.16 The new linked flatted block to the site's frontage has been designed to compliment the existing dwelling house whilst ensuring the existing dwelling remains as the dominant building on site. The overhang of the eaves and the recess to the right of the building articulates the elevation, creating a design that respects the scale and proportion of the existing dwelling house without dominating the site's frontage.
- 6.17 The recessed link between the two buildings has been designed to achieve maximum floor space within the development. The use of modern materials in the build coupled with its significant set back will not detract from the original character of the existing dwelling house, nor will it result in the building being read as one within the street scene.
- 6.18 The bungalows to the rear of the site have been re-orientated to address the site itself. Behind the close boarded fence, only the roofs would be visible and this would not harm a harmful visual impact, nor would it detract from the character of properties in Panwell Road. A condition is suggested to prevent any access being created onto Panwell Road.
- 6.19 The layout of the site concentrates the greater depth, bulk and massing of the building along the southern boundary of the site, ensuring the original footprint of the existing building is retained and limiting impact on adjacent 60 West End Road.
- 6.20 The extensions to the existing property are modest in scale. Fenestration within the two storey side and rear extensions have been concentrated to the front and rear so as to avoid overlooking and loss of privacy to neighbouring dwellings. Their design responds to the existing style and proportion of the dwelling.
- 6.21 The provision of all the parking to the front of West End Road to serve the flats and the bungalows fronting Panwell Road makes full use of the existing access at West End Road and allows direct pedestrian access to the rear bungalows. Landscaping enhancements will soften the appearance of parking within the street scene.
- 6.22 The layout is considered in keeping with the spatial character of the area, whilst still having regard to the need to make more efficient use of land for housing delivery, as advocated by PPS3.
- 6.23 The loss of mature trees on site is necessary in order to achieve a layout and footprint of development that responds positively to neighbouring properties. It was noted by SCC Tree Officers that the Western Red Cedar is beginning to show slight die back in the top and has an

unbalanced appearance while the sweet chestnut tree has limited views from public vantage points. Whilst the loss of trees is regrettable replacement tree planting on site can ensure additional, healthy and more appropriately placed trees to benefit the site and public amenity. Two trees originally shown to be removed; the pollarded Chestnut and the smaller Pine on the rear boundary are, however, now to be retained.

- 6.24 The landscaping enhancements are welcomed in terms of character and visual amenity, and also in terms of the sustainability and ecology benefits.

Impact on Residential Amenity

- 6.25 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.
- 6.26 The internal layout of habitable rooms and the arrangement of fenestration has been purposefully designed to ensure that there is no overlooking to neighbouring dwellings.
- 6.27 There are no first floor side windows proposed within the existing building. Side windows at ground floor level are at least 5m away from adjoining boundaries and are appropriately screened by a 1.8m high boundary fence and planting.
- 6.28 A window serving flat 8, which is located within the proposed two storey building, looks out over shared communal amenity space. The window is a distance of 18m from the boundary with 60 West End Road. Planting will limit views from this window across into neighbouring gardens.
- 6.29 The use of an appropriate mix of walls and boundary fencing between sites is considered appropriate given that ground levels are flat.
- 6.30 Overlooking resulting from occupants of the bungalows will be limited by their single storey nature, retention of the Holly tree and Laurel Prunus adjacent to the boundary with 60 West End Road and proposed boundary treatments.
- 6.31 Within the site, back to back privacy distances of 21m are achieved, which are further improved by planting and the boundaries proposed.
- 6.32 Additional trees and hedging are to be planted along the rear part of the common boundary with 60 West End Road, the Churchills site and internal boundaries. It is considered that such arrangements provide an appropriate screening between existing and proposed properties and will mitigate against any perceived overlooking and loss of privacy.
- 6.33 The extension to the existing building does not significantly project past the rear build line of 60 West End Road and the proposed two storey building's position 18m away from the boundary ensures that there is no loss of light or shadowing to this property.

- 6.34 External lighting should be carefully considered by condition to prevent harmful light pollution to neighbouring occupiers.
- 6.35 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.

Residential Standards

- 6.36 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.
- 6.37 The amenity space provision is acceptable in terms of amount, quality and usability, ranging in size from 53.4 – 68.5 square metres.
- 6.38 Cycle storage and refuse storage is provided for each dwelling in accordance with saved policy SDP5 and section 9 of the RDG.
- 6.39 The refuse store which is located to the front of the site has been reduced in scale from its original design to mitigate its visual appearance within the street scene. Planting around the store and to the site's frontage will further lessen its impact and ensure it does not detract from the character of the original dwelling 58 West End Road.
- 6.40 The layout of the design accords with secure by design standards and offers good levels of natural surveillance in and around the site.
- 6.41 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

- 6.42 The developer is committed to achieving code for sustainable homes level 3 for the proposed dwellings and a minimum 20% reduction in CO2 emissions over Building regulations 2010 over the life of the dwellings.
- 6.43 This is to be achieved through a number of fabric measures, photovoltaics and water efficient fittings, appliances, water recycling systems, low energy specifications for external lights, water butts and an energy display device to each dwelling.
- 6.44 In order to provide the required number of solar panels the rear roofs of the bungalows have been altered slightly from hipped to gable which allows for a greater surface area provision as per the requirement of the submitted energy report.

- 6.45 The siting of the photovoltaics are considered appropriate and will not detract from the appearance of the buildings or affect residential amenity.

Highways, access and parking

- 6.46 The application site is within an area which is defined as a 'high' accessibility zone. The level of parking provision proposed needs to be assessed against the parking standards set out in the adopted Parking Standards SPD adopted on 26th September 2011, which advocates a maximum level of car parking.
- 6.47 The previous parking standards set out under SDP5 of the adopted Local Plan Review required 7 car parking spaces. Under the recently adopted standards the maximum number of spaces that is considered acceptable for the site is 13. The proposed development proposes 9 car parking spaces.
- 6.48 Residents' concerns relating to potential impacts of parking on the wider area, in particular Panwell Road have been addressed by removing access from Panwell Road.
- 6.49 The only access to this site is from West End Road, which is a busy 'C' class highway, and is in close proximity to the traffic signals with the Maybray King Way slip road. This does not create any particular highway safety issue, as vehicles entering and leaving this site can do so in a forward gear, as there is sufficient turning space on site to allow this. When emerging from the site at busy times there may be need to wait until a gap occurs, but this is normal practice. When entering the site by crossing the carriageway, it may be necessary to wait for a gap to occur, which could cause some delay to other traffic in West End Road, but this is not considered to be sufficient to justify a refusal.

S.106 Legal Agreement

- 6.50 A development of this scale triggers the need for a S.106 Legal Agreement to secure appropriate off-site contributions towards open space and highway infrastructure improvements in accordance with Core Strategy Policy CS25. The applicants have confirmed their willingness to enter into the necessary obligations to mitigate against the scheme's direct local impacts.

7.0 Conclusion

- 7.1 The addition of 10 well designed housing units 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)

AA for 14.2.2012 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 – Energy minimisation (Performance Condition)

The proposed development shall be built in accordance with the provisions of the energy strategy dated August 2011 which details the methods to be used to achieve Code for Sustainable Homes Level 3 and a reduction in 20% Co2 emissions over the building regulations measures. Measures include the installation of water butts to down pipes and solar photovoltaics to roofs as shown on drawing P04 rev C.

REASON:

To ensure the development minimises its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development

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 - No allocation of parking spaces [Performance Condition]

The car parking spaces hereby approved are to be available for the shared use of all occupants of the dwelling units hereby approved, and at no time shall they be allocated for use by individual units.

Reason:

To avoid congestion on the adjoining highway which might otherwise occur because the parking provision on site has been reduced to reflect the lower demand where car parking is provided for communal use.

07. APPROVAL CONDITION - Amenity Space Access [Pre-Occupation Condition]

The external amenity space serving the development hereby approved, and pedestrian access to it, shall be made available as a communal area prior to the first occupation of the development hereby permitted and shall be retained with access to it at all times for the use of the flat units.

REASON:

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

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 - 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.

11. 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.

12. 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.

13. APPROVAL CONDITION - Landscaping plan [Pre-occupation Condition]

The development shall be carried out in accordance with approved landscape planting plan drawing no: 936/01 revision A dated July 2011.

The works include the replacement of tree T9 with a Pinus Himalayan Pine and the replacement of T12 Sweet Chestnut (the removed tall stump) with an Ostrya Tree.

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

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.

15. APPROVAL CONDITION - Stopping up existing access [Pre-Commencement Condition]

Any redundant access to the site shall be stopped up and abandoned and the footway, and verge crossings and kerbs shall be reinstated before the development is brought into use.

Reason:

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

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 9 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 - Delivery times [Pre-Occupation Condition]

No deliveries (including construction materials) shall be taken in or dispatched from the premises outside the following times 7.30am -9.30am and 4pm - 6pm.

Reason:

To avoid traffic congestion.

18. 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.

19. APPROVAL CONDITION – Archaeological building-recording [Pre-Commencement Condition]

No development shall take place within the site until the implementation of a programme of archaeological building recording has been secured in accordance with a written scheme of investigation which has been submitted to and approved by the Local planning Authority.

Reason: To ensure that the recording of the building is initiated at an appropriate point in demolition procedure.

**20. APPROVAL CONDITION – Archaeological work programme
[Performance Condition]**

The developer will secure the completion of a programme of archaeological building recording and assessment work in accordance with a written scheme of investigation which has been submitted to and approved by the Local planning Authority.

Reason: To ensure that the archaeological building recording is completed.

21. 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.

22. APPROVAL CONDITION - Boundary fence [Pre-occupation Condition]

Notwithstanding the landscaping plan hereby approved, prior to the occupation of the development hereby approved, details of the design and specifications of the boundary treatment of the site shall be submitted to and approved in writing by the Local Planning Authority. The agreed boundary enclosure details shall be subsequently erected prior to the occupation of any of the units provided under this permission and such boundary treatment shall thereafter be retained and maintained to the boundaries of the site.

Reason: In the interests of the visual amenities of the area and to protect the amenities and privacy of the occupiers of adjoining property.

23. APPROVAL CONDITION - Tree works (Performance Condition)

The development hereby approved must be carried out in accordance with the approved tree protection plan ref: dfc/0220 and arboricultural Impact Study and method statement dated 02.09.2011.

Reason: To ensure the adequate protection of trees on site.

**24. APPROVAL CONDITION - No access from Panwell Road -
Performance Condition**

No access (vehicular or pedestrian) shall be created along the rear boundary of the site onto Panwell Road.

REASON: In the interests of highway safety, the character of the area and the amenities of residents living in Panwell Road.

Notes to Applicant

- Southern Water

A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development please contact Atkins Ltd, Anglo St James House, 39A Southgate Street Winchester, SO23 9EH (Tel 01962 858688), or www.southernwater.co.uk

- Pre-Commencement Conditions

Your attention is drawn to the pre-commencement conditions above which require the full terms of the condition to be satisfied before development commences. In order to discharge these conditions you are advised that a formal application for condition discharge is required. You should allow approximately 8 weeks, following validation, for a decision to be made on such an application. If the Decision Notice includes a contaminated land condition you should contact the Council's Environmental Health Department, and allow sufficient time in the process to resolve any issues prior to the commencement of development. It is important that you note that if development commences without the conditions having been formally discharged by the Council in writing, any development taking place will be unauthorised in planning terms and this may invalidate the Planning Permission issued. Furthermore this may result in the Council taking enforcement action against the unauthorised development. If you are in any doubt please contact the Council's Development Management Service.

- Performance Conditions

Your attention is drawn to the performance conditions above which relate to the development approved in perpetuity. Such conditions are designed to run for the whole life of the development and are therefore not suitable to be sought for discharge. If you are in any doubt please contact the Council's Development Control Service.

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)

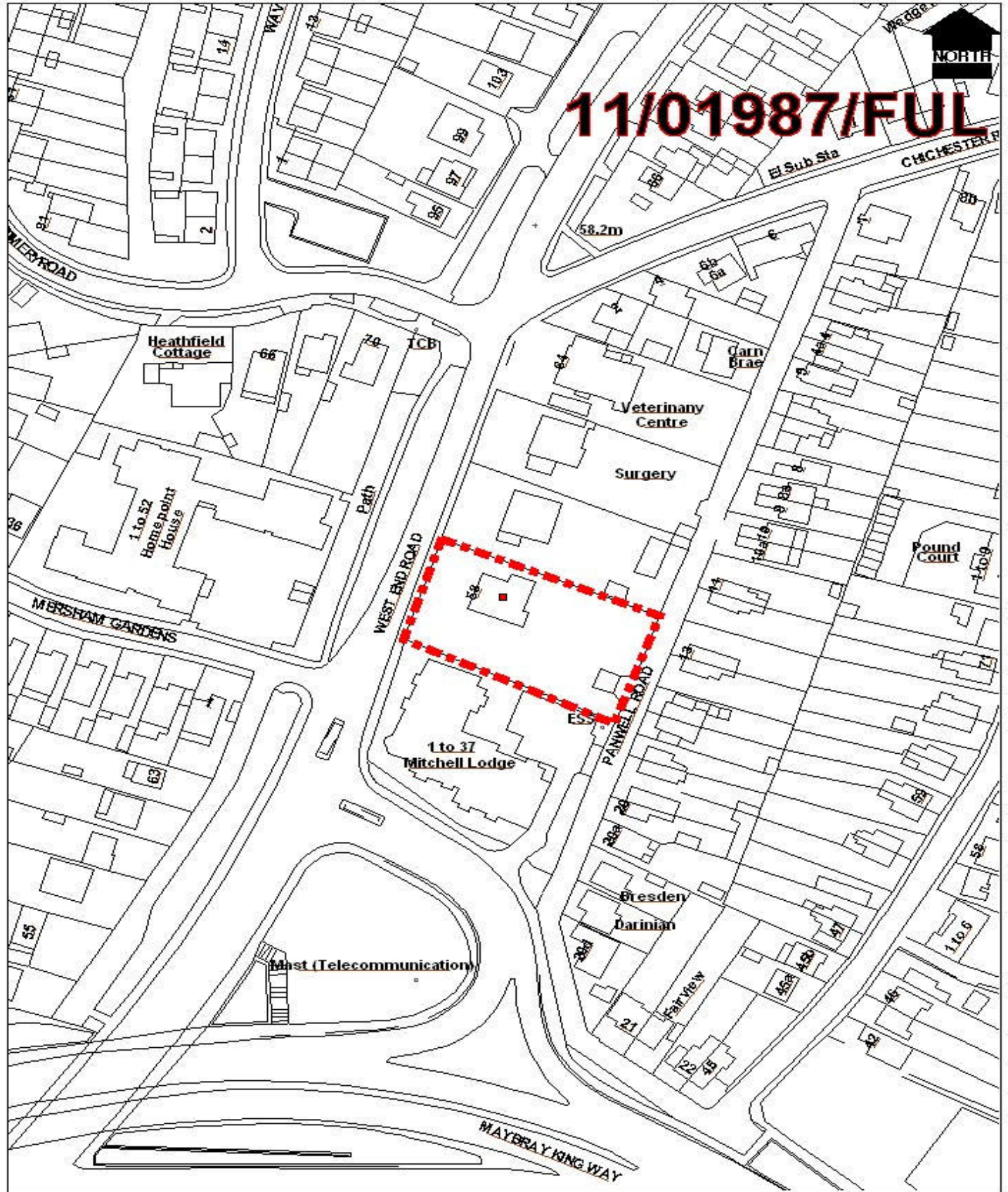
SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP6	Urban Design Principles
SDP7	Urban Design Context
SDP8	Urban Form and Public Space
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
H1	Housing Supply
H2	Previously Developed Land
H7	The Residential Environment

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)
Planning Obligations (Adopted - August 2005 and amended November 2006)
Parking Standards (Adopted 2011)

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)



Scale : 1:1250

Date :01 February 2012

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

