

Southampton City Planning & Sustainability
Planning and Rights of Way Panel meeting 13 March 2012
Planning Application Report of the Planning and Development Manager

Application address: Thorners Court, Henstead Road			
Proposed development: Redevelopment of the site. Demolition of part of Thorners Court and erection of a three-storey building to provide 34 sheltered housing flats for the elderly (24 x one-bedroom and 10 x two-bedroom) with communal facilities, access, car parking and landscaping.			
Application number	11/01216/FUL	Application type	FUL
Case officer	Richard Plume	Public speaking time	15 minutes
Last date for determination:	28.10.2011	Ward	Bargate
Reason for Panel Referral:	Major application subject to objection	Ward Councillors	Cllr Bogle Cllr Noon Cllr Willacy

Applicant: Churchill Retirement Living	Agent: Planning Issues Ltd
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Recommendation Summary	Delegate to Planning and Development Manager to grant planning permission subject to criteria listed in report
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Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations have been considered, including design, the scale and form of the proposal, the traffic and parking considerations and the impact on the setting of the adjoining listed building and these have been found to be acceptable 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 planning permission should be granted.

Policies - SDP1, SDP 4, SDP 5, SDP 6, SDP7, SDP 8, SDP9, SDP 10, SDP 11, SDP 13, CLT 5, H1, H2 and H7 of the City of Southampton Local Plan Review (March 2006) and Policies CS4, CS5, CS13, CS14, CS15, CS16, CS19, CS20 and CS25 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

Appendix attached			
1	Development Plan Policies	2	Planning History

Recommendation in Full

Conditionally approve

1. Delegate to the Planning and Development Manager to grant planning permission subject to the completion of a S.106 Legal Agreement to secure:
 - i. Financial contributions towards site specific transport improvements in the vicinity of the site in line with Policy SDP4 of the City of Southampton Local Plan Review

(March 2006), Policies CS18 and CS25 of the adopted LDF Core Strategy (2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended).

- ii. A financial contribution towards strategic transport projects for improvements in the wider area as set out in the Local Transport Plan and appropriate SPG/D.
- iii. Financial contributions towards the open space improvements 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).
- iv. Provision of affordable housing in accordance with Core Strategy Policy CS15.
- v. Submission and implementation of a Training and Employment Management Plan committing to adopting local labour and employment initiatives in line with Core Strategy Policies CS24 and CS25.
- vi. 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.

In the event that the legal agreement is not completed by the end of May 2012 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.

2. That the Planning and Development Manager be given delegated powers to vary relevant parts of the Section 106 agreement and to vary or add conditions as necessary.

1. The site and its context

- 1.1 The application site has an area of 0.2 hectares and comprises land on the northern corner of Henstead Road and Devonshire Road. The site is occupied by a two-storey yellow brick, flat-roofed building comprising 24 one-bedroom sheltered flats, which are currently vacant. The footprint of the existing building forms a 'U' – shape following the street frontages and returning east along a vehicle access to the north. The site is part of a wider complex of sheltered flats, all with vehicular access from Devonshire Road. The other flats forming part of Thorners Court are immediately to the east of the application site and are predominantly four storeys with the fourth storey set-back from the street frontage. There are mature trees on the site which are protected by a Tree Preservation Order.
- 1.2 The surrounding area is characterised by a mixture of architectural styles, building heights varying from two storeys up to four storeys and land uses including a mix of residential, place of worship and commercial uses to the east in Bedford Place. The application site adjoins, but is not within, the Carlton Crescent Conservation Area, the boundary of which is the northern site boundary with the properties in Canton Street being within the conservation area. The Central Baptist Church which is opposite the site to the west on the corner of Kenilworth Road and Devonshire Road is a Grade II listed building.

2. Proposal

- 2.1 A three storey block of 34 sheltered housing flats (24 x one bedroom and 10 x 2

bedroom) is proposed following demolition of the existing flats. The building will turn the corner from Henstead Road into Devonshire Road and have a varied footprint, roofline and materials treatment to break up the massing of the building, with projecting bay windows and balconies also giving detail to the elevation. The external materials proposed are two types of brickwork and a slate roof. The building is arranged so that all flats will be single aspect, positioned either side of a central corridor, so that flats either look into the inner courtyard of landscaped garden/parking, or else look onto the street. The building includes communal facilities of residents lounge, guest suite (for visitors to come and stay over), managers office, laundry and electric buggy store which would be at the rear of the building.

2.2 The existing vehicular access to the site from Devonshire Road will be retained and a total of 14 car parking spaces provided to the rear of the building and alongside the access road. A single-storey storage building to accommodate electric buggies is proposed in the rear car parking area. All the existing trees on the site will be retained. The two existing trees on the Devonshire Road frontage will need to be pruned but these trees are not subject of the TPO. The density of the development would be approximately 150 dwellings per hectare.

2.3 The application has been amended since it was originally submitted. The changes relate to the design of the building and the car parking layout.

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.

4. Relevant Planning History

4.1 Planning permission was granted in 1971 for the erection of the current building and other parts of Thorners Court to provide 73 flats.

4.2 In 2008, planning permission was refused for redevelopment of the site to provide 34 sheltered housing flats in a three-storey building. The full reasons for refusal of that application are included in Appendix 2 to this report.

5. Consultation Responses and Notification Representations

5.1 Following the receipt of the planning application a publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners, placing a press advertisement (25.08.2011) and erecting a site notice (18.08.2011). At the time of writing the report **3** representations have been received from surrounding residents. The comments raised can be summarised as follows:

- This is not an appropriate environment for older people because of the nature of the surroundings where people suffer night time noise and anti-social behaviour leading to sleep deprivation.
- The front boundary treatment should be designed to limit the potential for

congregating by late night revellers.

- There is a need for improved traffic management arrangements in the area, this is a busy junction and the amount of traffic is not conducive to a safe pedestrian environment.

Response: These issues are addressed later in this report.

5.2 Neighbours have been reconsulted on the amended scheme and any further responses will be reported to the meeting.

5.3 **SCC Highways** - No objections, the vehicular access is as existing and the car parking provision is appropriate for a sheltered housing scheme in this location.

5.4 **SCC Housing** – As the scheme comprises a net increase of 10 dwellings (34 proposed -24 existing), the affordable housing requirement is 20% (CS15- sites of 5-14 units = 20%). The affordable housing requirement is therefore 2 dwellings. Policy CS 15 of the adopted Core Strategy sets a hierarchy for the provision of affordable housing as:

1. On-site as part of the development and dispersed amongst the private element of the scheme.
2. On an alternative site, where provision would result in more enhanced affordable units, through effective use of available resources, or meeting a more identified housing need such as better social mix and wider choice
3. Commuted financial payment to be utilised in providing affordable housing on an alternative site

In this case the decision is to accept an off-site financial contribution

5.5 **SCC Sustainability Team** – Pleased to see that the BREEAM pre-assessment estimator indicates that the development is designed to achieve Very Good. The statement states that the Air Source Heat Pumps will achieve 25% CO2 savings. The ASHPs are located away from the buildings (presumably to prevent any noise nuisance to the residents), however this may cause some energy losses and should be considered in the calculations.

5.6 **SCC Architect's Panel** – (Comments on the application as originally submitted): The design represents a missed opportunity for what is an important site and does not respond to the context identified in the Design and Access Statement. The proposal lacks character in terms of detail with no rhythm to the elevations and it fails to respond to the street corner.

5.7 **SCC Trees Team** –Trees on this site are protected by The Southampton (Thorners Court) TPO 2008. The proposed development does not affect any of these protected trees and providing the tree protections details in the Barrell Tree Consultancy Method Statement ref:8078-AIA-PB dated 28 June 2011 form part of any conditions I would raise no objections to this application.

5.8 **SCC Environmental Health (Contaminated Land):** Annex 2 of PPS23 considers the proposed land use as being sensitive to the affects of land contamination. Therefore, to ensure compliance with Annex 2 of PPS23 and Policies SDP1 and SDP22 of the City of Southampton Local Plan Review (adopted version, March 2006) this department would recommend that the site be assessed for land

contamination risks or assume that land contamination exists and take a precautionary approach. To facilitate this, if planning permission is granted, conditions should be attached.

- 5.9 **SCC Ecology** – The building has a low probability of supporting bat roosts. The grounds consist of intensively managed amenity grassland plus a few shrubs and trees. These features are of low biodiversity value and the proposed redevelopment is unlikely to have any adverse impacts, consequently there is no objection to the application. The new flats include a communal garden which provides scope for increasing the biodiversity value of the site. I would therefore like to see the landscape plan incorporate species of value to biodiversity. These species can be either locally native or ornamental.
- 5.10 **SCC Planning Policy** – The principle of re-developing this brownfield site is supported by Policy H2 of the Local Plan Review and Policy CS 5 of the Core Strategy which notes that the majority of development should be on previously developed land. Family Housing - the requirements of Policy CS16 does not apply to this development as it is a specialist housing scheme entirely comprised of accommodation for senior citizens.
- 5.11 **Hampshire Constabulary** – The Design and Access statement states that the development would be constructed in accordance with Secured by Design guidance. For the reasons outlined below this development is unlikely to gain accreditation. The buggy store is too remote from the main property and it's location leaves it vulnerable to break-ins. Such storage should be located either within the building or at the very least within the main courtyard area where surveillance will be far greater. The location of this site is within a heavily populated student area and has a high burglary risk. The door entry system is not acceptable by SBD. Door entry systems for a development of this size should operate using a fully integrated audio visual system and not rely solely on a TV link. However, I do accept that given the nature of the accommodation a TV link would be of benefit so would recommend that this is installed as well as the fully integrated system. Whilst in part I agree with the statement in the Design and Access statement that a warden will provide additional security, this resource is limited to the hours of 9-5pm and therefore cannot be relied upon to effectively police the site at all times as a live-in warden could achieve. (Note: these comments were on the application as originally submitted - the buggy store has since been relocated and other matters can be covered by conditions).
- 5.12 **Southern Water** – Initial investigations indicate that Southern Water can provide foul sewage disposal to service the proposed development. However, there is currently inadequate capacity in the local network to provide surface water disposal to service the proposed development. The proposed development would increase flows to the public sewerage system and any existing properties and land may be subject to a greater risk of flooding as a result. The applicant should investigate alternative means for surface water disposal. Southern Water have no objections subject to the imposition of a condition and informative.
- 5.13 **City of Southampton Society** - No objections to the proposal

6. **Planning Consideration Key Issues**

- 6.1 The key issues for consideration in the determination of this planning application are:
- The principle of this development and the form and mix of dwellings proposed.
 - Design issues relating to the scale and form of the building, the amount of development proposed and the impact on the character of the area.
 - Transport and parking issues
 - Environmental matters including trees and sustainability considerations

6.2 Principle of Development

This site, and the remainder of Thorners Court which adjoins, has been used as sheltered housing for many years. There are no policy reasons to oppose a further sheltered housing development on this site. The local residents view on the appropriateness of the site for housing for elderly people given the high numbers of students living in the area and proximity to the night time hub of Bedford Place is recognised. However, as a private scheme this is considered to be a matter for the developer to consider rather than the Council.

- 6.3 A limited mix of flat types are proposed but Core Strategy Policy CS16, which seeks family sized homes on appropriate sites, does not apply to specialist housing schemes of this nature. There is, therefore, no policy objection to the mix of accommodation proposed. The Council's Housing Team do not seek on-site affordable housing units as there is considered to be an over-supply of such accommodation. Off-site provision or contributions in-lieu would normally be sought. In this case agreement has been reached for a financial contribution towards affordable housing to be provided off-site.

6.4 Design Issues

As originally submitted the design of the building was considered to be inappropriate as it lacked integrity with an assortment of different design features which did not relate well to the context. The amended design has been simplified and strengthened with projecting bay window features and set backs which help to break up long elevations to both Henstead Road and Devonshire Road. The adjoining houses in Devonshire Road are two-storey semi-detached properties. The proposed Devonshire Road frontage, although 3-storeys is set further back from the street than these adjoining houses and there is a 10 metre separation distance. In these circumstances, the scale, design and massing of the proposed building is considered to be satisfactory. The quality of the design will, to a large extent, depend on the external materials, details of which can be secured through a condition.

- 6.5 The existing building is set well back from the road frontages, 5 metre set back from Henstead Road and 10 metres in Devonshire Road. The proposed building would be brought forward to both road frontages most noticeably on the Devonshire Road frontage where the set back would be between 3 metres and 7 metres. The result would be a building which satisfactorily addresses both road frontages whilst providing a front garden treatment and a degree of defensible space which is considered necessary given the location and the nature of the residential accommodation. Henstead Road is a wide road and the vista at the end of the road is terminated by the listed Central Baptist Church. The siting and massing of the proposed building is such that the listed church would remain the dominant feature in the streetscene and consequently its setting would not be adversely affected.

- 6.6 In terms of the amenities of neighbours, the removal of the northern arm of the

existing building will improve the outlook for the neighbours adjoining to the north in Canton Street and there is sufficient separation between this building and the remaining block at Thorners Court for the amenities of these residents not to be adversely affected.

- 6.7 The level of amenity space falls well below the Council's standard for sheltered housing. The areas proposed amount to approximately 300 square metres compared to the standard of 30sq.m. per flat which would require a 1000 sq.m provision. However, the site is simply not large enough to accommodate this amount of amenity space as well as providing some off-street parking. Furthermore, for sheltered housing schemes it is generally accepted that facilities such as a communal lounge mitigate for a reduced garden provision and in this case several flats have private balcony areas.

6.8 Transport and Parking

The existing vehicular access onto Devonshire Road serves the whole of Thorners Court and this will be retained which is acceptable. The revised car parking standards allow for a maximum of 1 space per dwelling for sheltered housing schemes. It is generally accepted that the level of car parking demand for sheltered housing developments is considerably less than for a standard block of flats. This is an area of high public transport accessibility and it is likely that residents choosing this location will be attracted by the close proximity to the facilities of the City Centre. Local residents comments on vehicle speeds etc at this junction are understood but there are no highway safety concerns with this development.

6.9 Sustainability and Tree Issues

The applicant has stated that the development will achieve the BREEAM 'Very Good' standard and will incorporate Air Source Heat Pumps to achieve a reduction in carbon emissions. These measures are welcomed and can be secured through conditions. The protected trees on this site are a Cherry and Swedish Whitebeam along the northern site boundary and a group of Birch Trees between the buildings on the Henstead Road frontage. These trees will be retained as will two existing trees on the Devonshire Road frontage which are not part of the TPO.

7. Summary

- 7.1 This is an expansion of sheltered housing on a site which has been used for this specialist form of residential development for many years. The scale and form of the building is considered acceptable for this previously developed site in a sustainable location adjoining the City Centre. As amended, the proposed layout and design is considered to be acceptable and the amenities of neighbours would not be significantly affected. Overall, it is considered that the previous reasons for refusal of permission have been satisfactorily addressed.

8. Conclusion

It is recommended that planning permission be granted subject to a Section 106 agreement and conditions listed in this report.

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), 4(g), 6(c), 7(a), 7(e), 7(n), 9(a), 9(j), 10(a) and 10(b).

RP2 for 13/03/2012 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 - 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

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

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

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

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

Any changes to these agreed elements require the express consent of the local planning authority.

Reason:

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

05. 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.

06. 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.

07. 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.

08. 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.

09. APPROVAL CONDITION - Construction Method Statement (Pre-Commencement Condition)

The development hereby approved, including demolition of the existing building, shall not commence until a method statement and appropriate drawings of the means of

construction of the development has been submitted to and approved in writing by the Local Planning Authority. The method statement shall specify vehicular access arrangements, the areas to be used for contractor's vehicle parking and plant, storage of building materials and any excavated material, temporary buildings and all working areas required for the construction of the development hereby permitted. The building works shall proceed in accordance with the approved method statement unless otherwise agreed in writing by the Local Planning Authority.

REASON

To protect the amenities of neighbours and the wider environment

10. APPROVAL CONDITION - Layout of Car Parking/Serviceing (Pre-Occupation Condition)

The whole of the car parking, cycle storage and serviceing facilities shown on the approved plans shall be laid out and made available before the use of the building to which these facilities relate commences and thereafter retained solely for the use of the occupants and visitors to the site and for no other purpose.

REASON

To ensure adequate on-site parking and serviceing facilities and to avoid congestion in the adjoining highway.

11. APPROVAL CONDITION - Tree Retention and Safeguarding [Pre-Commencement Condition]

All trees to be retained pursuant to any other condition of this decision notice shall be fully safeguarded during the course of all site works including preparation, demolition, excavation, construction and building operations. No operation in connection with the development hereby permitted shall commence on site until the tree protection as agreed by the Local Planning Authority has been erected. Details of the specification and position of all protective fencing shall be indicated on a site plan and agreed with the Local Planning Authority in writing before any site works commence. The fencing shall be maintained in the agreed position until the building works are completed, or until such other time that may be agreed in writing by the Local Planning Authority following which it shall be removed from the site.

Reason:

To ensure that trees to be retained will be adequately protected from damage throughout the construction period.

12. APPROVAL CONDITION - no storage under tree canopy [Performance Condition]

No storage of goods including building materials, machinery and soil, shall take place underneath the crown spread of the trees to be retained on the site. There will be no change in soil levels or routing of services through tree protection zones or within canopy spreads, whichever is greater. There will be no fires on site. There will be no discharge of chemical substances including petrol, diesel and cement mixings within the tree protection zones or within canopy spreads, whichever is greater.

Reason:

To preserve the said trees in the interests of the visual amenities and character of the locality.

13. APPROVAL CONDITION - Details of visitor cycle parking (Pre-Occupation Condition)

The development hereby approved shall not be first occupied until visitor cycle facilities have been provided in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority.

REASON

To ensure satisfactory provision of cycle facilities for visitors to the site.

14. APPROVAL CONDITION - Safety and Security measures (Pre-development condition)

No development shall commence until a scheme of safety and security measures, including CCTV equipment, has been submitted to and approved in writing by the Local Planning Authority. The approved measures shall subsequently be implemented in accordance with the scheme before the development is first occupied unless otherwise approved in writing by the Local Planning Authority.

REASON

In the interests of safety and security and crime prevention.

15. APPROVAL CONDITION - BREEAM Standards (commercial development) [Pre-Occupation Condition]

Written documentary evidence demonstrating that the development has achieved at minimum a rating of Very Good against the BREEAM standard 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 certificate as issued by a qualified BREEAM 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).

16. APPROVAL CONDITION - Energy (Pre-Commencement Condition)

Written documentary evidence demonstrating that the development will at minimum achieve a reduction in CO2 emissions of 20% [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).

17. APPROVAL CONDITION - Refuse facilities (Pre-Occupation Condition)

The refuse storage facilities, which shall include recycling facilities, as shown on the approved drawings shall be provided before the use to which the facility relates has been provided. The storage areas shall be retained thereafter.

REASON

To ensure suitable refuse and recycling facilities are provided and in the interests of visual

amenity.

18. APPROVAL CONDITION - Foul and Surface Water Drainage (Pre-Commencement Condition)

No development shall commence until details of the proposed means of foul and surface water sewerage disposal has been submitted to, and approved by, the Local Planning Authority in consultation with Southern Water. The development shall be carried out in accordance with these approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason

In order that the Local Planning Authority may be satisfied that the development would not increase the risk of flooding in the area.

19. APPROVAL CONDITION - No Pile Driving for Foundations [Performance Condition]

No percussion or impact driven piling activities shall take place for pre-works, foundations, or as any part of the development.

Reason:

In the interests of securing the stability of the site and adjacent land in order to protect the amenities of occupiers of nearby properties.

20. APPROVAL CONDITION - No other windows or doors other than approved [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 windows, doors or other openings including roof windows or dormer windows other than those expressly authorised by this permission shall be inserted in the eastern elevation above ground floor level of Units 12 and 25 hereby permitted without the prior written consent of the Local Planning Authority.

Reason:

To protect the privacy of occupiers of the adjoining premises.

21. APPROVAL CONDITION – Age restriction (Performance Condition)

Occupation of the development shall be limited to persons of over 60 years old or where there are two or more persons resident, then at least one person shall be over 60 and the remaining occupants shall be at least 55 years old.

REASON:

The Council has had regard to the special circumstances of this residential development in terms of car parking arrangements, amenity space and housing mix as set out in adopted policy CS16 of the Local Development Framework Core Strategy Development Plan Document (January 2010) and is prepared to grant permission on a restricted basis only.

22. APPROVAL CONDITION - Approved Plans

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

Reason:

For the avoidance of doubt and in the interests of proper planning.

POLICY CONTEXT

Core Strategy - (January 2010)

CS4	Housing Delivery
CS5	Housing Density
CS13	Fundamentals of Design
CS14	Historic Environment
CS15	Affordable Housing
CS16	Housing Mix and Type
CS18	Transport: Reduce-Manage-Invest
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
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP13	Resource Conservation
SDP14	Renewable Energy
SDP16	Noise
SDP17	Lighting
HE1	New Development in Conservation Areas
HE3	Listed Buildings
CLT5	Open Space in New Residential Developments
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 Supplementary Planning Document (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 (2011)
PPG13 Transport (2011)

Relevant Planning History

Proposal: **Redevelopment of the site. Demolition of part of Thorners Court and erection of a 3 - storey building to provide 34 sheltered housing flats for the elderly with communal facilities, access, parking and landscaping.**

Site Address: **Thorners Court Henstead Road Southampton SO15 2GU**

Application No: **08/00544/FUL**

For the following reason(s):

01.Overdevelopment

The proposal, at a density of 150 dwellings per hectare, represents an overdevelopment of the site in that it has a relative but significant paucity of private and usable open space, which also erodes the quantum of such space available to part of Thorners Court to be retained, that was originally planned for provision under consent reference 5588/1418/93. The proposals are thereby contrary to Policies SDP1 (i - particularly the guidance of paragraph 2.3.14 and Section 4.4 of the Residential Design Guide [September 2006]) and H7 (i)/(ii)/(iii) of the City of Southampton Local Plan Review (March 2006).

02.Massing, layout and elevational treatment

Notwithstanding the single mass of the existing building and its bland appearance which fails to make a positive contribution to the character and appearance of the area, the new development and its layout does not make use of the opportunities available for improving the character and quality of an area. In particular, the following design flaws are cited:-

(i) The frontage to Devonshire Road does not take the opportunity to come forward toward the building line of 1-35 Devonshire Avenue, thus improving the quantum of private and usable amenity space at the rear of the building;

(ii) The 6 car parking spaces arranged off a spur from the existing vehicular access provides unnecessary separation between the new flats and the proposed landscaped garden, when these two elements could easily be swapped around;

(iii) The proposals appear to have little appreciation of the immediate locality and instead follow standard flat layouts rather than tailor the building footprint to reflect the proportions of projecting elements on nearby buildings: in particular, the gabled projections bear no relationship to the bayed projections of nearby dwellings and whilst the central spine corridor to the floor layouts is recognised as an operational necessity, the option of creating greater indentations to the building advocated during pre-application advice to help break up the mass of the roof form have not been followed;

(iv) The treatment of the corner to Devonshire Road and Henstead Road, whilst subordinate to the setting of the Grade II Listed church opposite, is too weak, with the gabled forms either side of it too small in relation to the larger gabled projections in each respective street elevation further adding to a lack of presence on this corner, when more

interesting elevational solutions had been proposed at the pre-application stage (as indicated at page 15 of the submitted Design and Access Statement);

(v) Replacement tree planting should provide a better landscaped setting for the development by the use of larger more prominent trees, rather than the smaller ornamental species chosen which have a more limited life expectancy; and,

(vi) Does not provide for convenient access for the buggies to Henstead Road and local shops and amenities beyond in Bedford Place.

As such, the proposals are considered to be contrary to Policies SDP1 (i)/(ii) - particularly the advice given in paragraphs 3.2.2-3.2.5, 3.3.1, 3.6.2, 3.6.10, 3.7.7-3.7.10, 3.9.1-3.9.6, 3.10.4-3.10.7 and 3.10.12-3.10.17 of the Residential Design Guide [September 2006]), SDP7 (ii)/(iii)/(iv), SDP9 (i)/(iv)/(v), SDP11 (ii), SDP12 and H7 (i)/(ii)/(iii)/(iv) of the City of Southampton Local Plan Review (March 2006).

03. Crime prevention

The buggy store is not covered or secure and no details have been submitted of external lighting. These shortfalls would be thereby likely to attract criminal opportunist activity, contrary to Policies SDP1 (i) - and the guidance of Part 10 to the Residential Design Guide [September 2006]) and SDP10 (ii)/(iv) of the City of Southampton Local Plan Review (March 2006).

04. Sustainable development

Notwithstanding the information provided at page 25 of the Design and Access Statement, the proposed development does not detail how the dwellings to be created would achieve at least Code for Sustainable Homes Level 3. As such, the proposals are considered to be contrary to Policy SDP13 (and the guidance of Part 7 of the Residential Design Guide [September 2006]) of the City of Southampton Local Plan Review (March 2006) and Policy SH14 (iv) of the Draft South East Plan (2006).

05. Fails to secure planning agreement

In the absence of a completed S.106 legal agreement to mitigate against the scheme's direct impacts the proposal fails to satisfy the provisions of Policy IMP1 of the City of Southampton Local Plan Review (March 2006) and the Council's Supplementary Planning Guidance on Planning Obligations (August 2005 - as amended) in the following areas:

a) measures to support sustainable modes of transport such as necessary improvements to public transport facilities and footways within the vicinity of the site;

b) measures to support strategic transport initiatives;

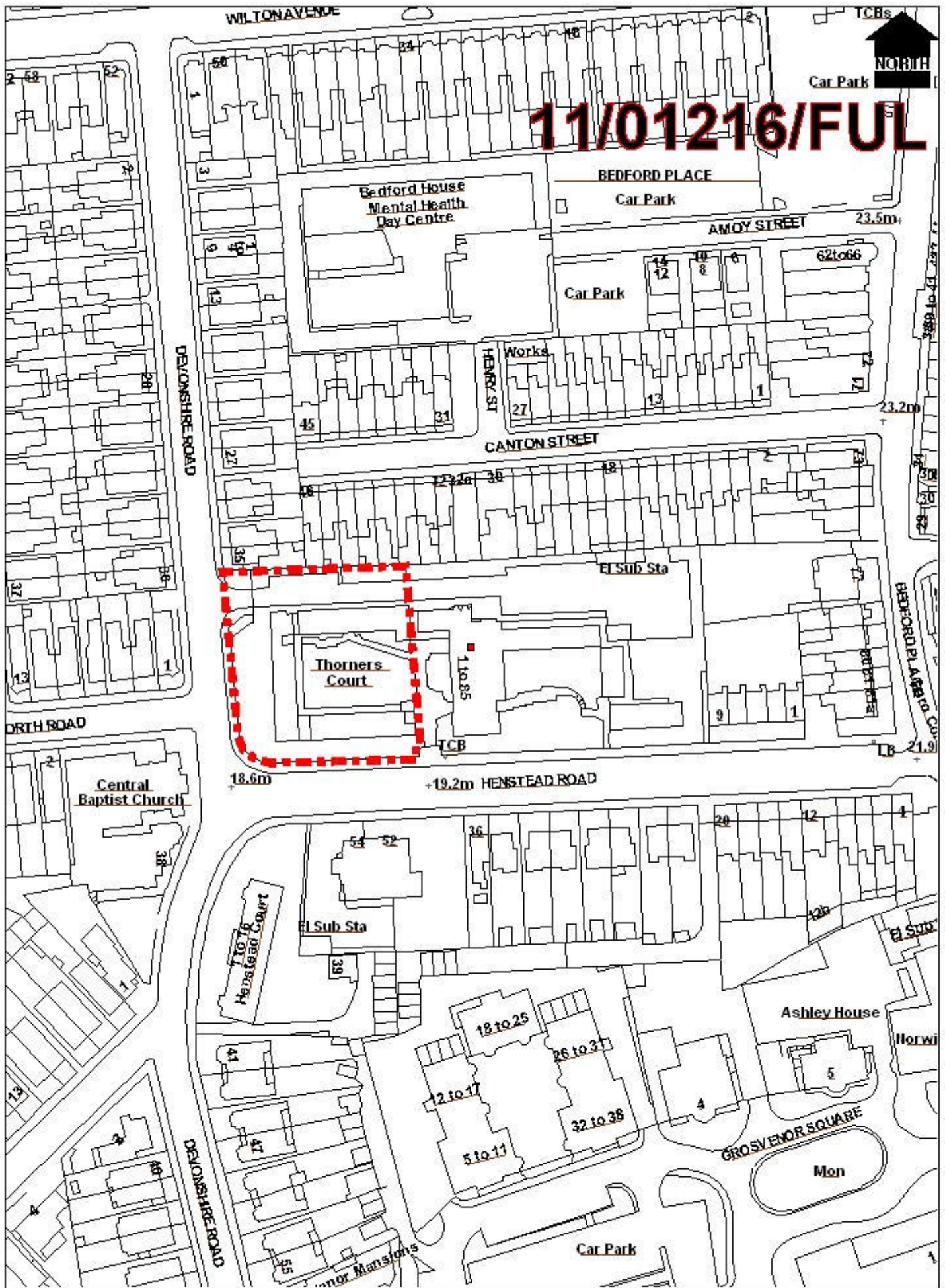
c) provision of affordable housing in accordance with policy H9 of the City of Southampton Local Plan Review (March 2006);

d) the provision of public open space to serve the needs of the development as required by Policy CLT5 of the City of Southampton Local Plan Review (March 2006);

e) a financial contribution towards sustainable travel vouchers;

f) restricting occupation of the flats to persons aged 60 years or over; and,

g) a highways condition survey/undertaking to make good any possible damage to the public highway in the course of construction.



11/01216/FUL

Scale : 1:1250

Date :28 February 2012

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