

Southampton City Planning & Sustainability
Planning and Rights of Way Panel meeting 25 October 2011
Planning Application Report of the Planning and Development Manager

Application address: Land rear of 36 Edward Road SO15 3GZ			
Proposed development: Erection of 2 x two-storey, three bed semi-detached houses with associated cycle/refuse storage.			
Application number	11/00986/FUL	Application type	FUL
Case officer	Anna Lee	Public speaking time	5 minutes
Last date for determination:	15.09.2011	Ward	Millbrook
Reason for Panel Referral:	Request by Councillor Furnell & more than 5 objections received	Ward Councillors	Councillor Furnell Councillor Thorpe Councillor Wells

Applicant: Goodstone Developments Ltd	Agent: Tony Oldfield Architects
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Recommendation Summary	Conditionally approve
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Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan and other guidance as set on the attached sheet. Other material considerations do not have sufficient weight to justify a refusal of the application. The proposed dwellings would be in keeping with the surrounding area and would not have a harmful impact on residential amenity or highway safety and the proposal is considered to be acceptable. Where appropriate planning conditions have been imposed to mitigate any harm identified. In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004, Planning Permission should therefore be granted having account of the following planning policies:

“Saved” Policies – SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP11, SDP12, SDP13, H1, H2, and H7 of the City of Southampton Local Plan Review - Adopted March 2006 as supported by the adopted LDF Core Strategy (2010) policies CS4, CS5, CS13, CS19, and CS20 and the Council’s current adopted Supplementary Planning Guidance. National Planning Guidance contained within PPS1 (Delivering Sustainable Development), PPS3 (Housing 2010) and PPG13 (Transport 2011) are also relevant to the determination of this planning application.

Appendix attached			
1	Development Plan Policies		

Recommendation in Full

Conditionally approve

1. **The site and its context**

- 1.1 The application site contains a public house located on the corner of Edward Road and Kentish Road which leads to Henry Road. The public house, which is now vacant, included residential accommodation at first floor level. The existing building is an attractive character property within the street. The application site is to the rear of the site which is currently the garden area and car park of the pub.
- 1.2 The surrounding area is predominantly residential in character and typically comprises two-storey, semi-detached and terraced properties.

2. Proposal

- 2.1 The application seeks planning permission to construct a pair of two-bedroom, semi-detached dwellings which would front Kentish Road. A residential density of 84 dwellings per hectare would be achieved which is acceptable in an area of high accessibility. The dwellings have a two-storey scale with the eaves and ridge heights reflecting that of the neighbouring residential properties. The dwellings have a traditional design appearance with hipped roofs and a projecting porch. The elevations would be rendered to the top of the ground floor windows and then a red facing brick construction is proposed for the rest of the property. Detailing in the form of stone lintels and cills is proposed to add interest. One photovoltaic cell is proposed per dwelling to the roof slope of the rear projection.
- 2.2 One car parking space for each dwelling is provided. Purpose built cycle storage would be provided to the rear of the properties and 0.9 metre wide external access paths would be incorporated to the side of each dwelling. Storage for refuse and recycling would also be provided to the rear of the site. Each dwelling would be served by private rear gardens of 85sq.m in area and the frontage of the properties would incorporate soft landscaping and be bounded by a dwarf brick wall. A brick pillar and wooden fencing boundary separate the driveway from the amenity space.

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 The application site is not allocated in the current development plan. The Council’s usual requirements for achieving context-sensitive residential design as required by Core Strategy policy CS13 and policies SDP1, SDP7 and SDP9 of the Local Plan are applicable. Applications for new residential dwellings are expected to meet high sustainable construction standards in accordance with adopted Core Strategy Policy CS20 and Local Plan “saved” Policy SDP13.
- 3.3 The policies of the South East Plan, Southampton’s Core Strategy and Local Plan Review have been taken into account in the consideration of this application. The Core Strategy is in general conformity with the South East Plan, and it is not considered that the policies in the South East Plan either conflict with or add particular weight to the policies in the Core Strategy for this

application. Consequently only the local statutory development plan policies (Core Strategy and Local Plan Review) have been cited in this report.

4. Relevant Planning History

- 4.1 11/00986/FUL Erection of 2 x two-storey, three bed semi-detached houses with associated cycle/refuse storage. Pending.
- 4.2 None of the other applications approved at the site are relevant to this proposal as they formed external changes to the public house building.

5. Consultation Responses and Notification Representations

- 5.1 Following the receipt of the planning application a publicity exercise in line with department procedures was also undertaken which included notifying adjoining and nearby landowners and erecting a site notice (4.8.2011). At the time of writing the report **22** (21 objections and 1 letter of no objection) representations have been received from surrounding residents and **2** objections from ward Councillors. Councillor Furnell has requested this application be considered by the Panel.

5.2 Concerned that a covenant was imposed on the pub to require it to remain as a pub and forcing redevelopment

Response

Covenants are not planning issues as they relate to civil law.

5.3 The proposals would result in an overdevelopment of the site

Response

The development utilises a brownfield site and the dwellings proposed have adequate amenity space and residential amenities. The proposal complies with the residential standards. See section 6.0 for further discussion.

5.4 The proposal will add to parking pressures in the vicinity of the site as the number of off-road parking spaces proposed is insufficient to serve the development

Response

The surrounding road does have a high level of on-street car parking; however, the application site lies within an area of high accessibility for public transport and is within close proximity of Shirley Town Centre. The provision of one parking space per dwelling is acceptable in this highly accessible area. The maximum car parking spaces for three bedroom units is two spaces as stated in the Parking Standards Supplementary Planning Document for a high accessibility area. However, this scheme was submitted prior to the approval of these documents and these are still maximum standards and the number of spaces are considered to be acceptable and is in accordance with policy CS19 of the Core Strategy and SDP5 of the Local Plan which looks to reduce reliance on the private car.

5.5 Loss of light to 22 and 24 Henry Road

Response

The proposal does lie south of the site and therefore there would be some element of loss of light. However, due to the distance and that the dwellings are no taller than adjacent properties the loss of light would not be significantly detrimental as it would only occur in the morning and in the winter months.

5.6 The proposal does not provide social housing

Response

A scheme of this size does not require social housing, however, both schemes together provide family housing and smaller units which provides a development which caters for different social groups and as such the proposal complies with policy.

5.7 **SCC Highways** – No objection. Suggests conditions to secure details of the site set up during the construction process and the provision of wheel cleaning facilities during construction.

5.8 **SCC Sustainability Team** – No objection as the proposal complies with policy CS20 as the scheme provides renewable energy in the form of photovoltaic cells but suggests the inclusion of a condition to secure the proposal will meet Code Level 3.

5.9 **Hampshire Constabulary** – No objection in principle to this development

5.10 **Southern Water** – No objection but a formal application to connect to the foul sewer is required.

5.11 **Environmental Health** – Request a hours of work condition and no bonfires to be allowed on site. The hours of work condition has been recommended but the no bonfires condition has not as it seems excessive for this development.

6. Planning Consideration Key Issues

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

- i. Principle of development;
- ii. Design;
- iii. Residential amenity;
- iv. Residential Standards; and
- v. Highways and parking.

6.2 Principle of Development

6.2.1 The application site constitutes previously development land as defined by PPS3: Housing and lies within an area which is accessible by public transport and within easy reach of local shops and services. As such the introduction of two dwellings would accord with local and national policy aims to make more efficient use of Brownfield sites to provide additional housing and the residential density is appropriate for the area of High Accessibility to public transport. The provision of two family houses is also welcome.

6.3 Character and Design

6.3.1 The scale and layout of the proposed development are strongly informed by the character of the area. The proposal provides good legibility to the street by providing an active street frontage to Kentish Road. The proposal respects the building line and provides adequate space between the proposed dwellings, the pub and the properties on Henry Road. The design is well proportioned and respects the character of the area and maximises natural surveillance of this side street. A key positive aspect of the scheme is providing an active frontage on Kentish Road which currently is formed by garages and outbuildings.

6.3.2 The density proposed is acceptable as the built form of the dwellings would occupy less than 50% of the plot size. Overall, the introduction of two well-designed dwellings in this location would have a positive impact on the street scene as required by the Core Strategy and Local Plan design policies and as supported by the Residential Design Guide (RDG).

6.4 Residential Amenity

6.4.1 There is between 12.5 metres separation between the side gable wall of the proposed dwellings and the neighbouring properties in Henry Road which is meets the separation distance guidance recommended by the Residential Design Guide. There would be no direct overlooking as the proposal only seeks to provide an obscured glazed bathroom window on that elevation at first floor. Habitable room windows are positioned to overlook either the street or the amenity space to the rear and as such would not impact upon privacy. As stated in section 5.5 the dwellings would introduce additional over-shadowing of the neighbouring gardens at Henry Road within the morning but the majority of the garden areas would not be detrimentally affected for the greater part of the day.

6.4.2 In terms of the impact on the proposed units in the converted pub the internal layout of both schemes has been designed to prevent loss of light and privacy by providing no windows on the elevation of the pub fronting the new dwellings at first floor and only an obscured glazed bathroom on the side elevations of the dwellings. It is noted that the proposal does not meet the privacy distance guidance set out in the Residential Design Guide. However, due to the proposed windows configuration on each of the properties this close proximity would not be harmful to either proposal.

6.4.3 On balance, therefore, the relationship of the proposal with the neighbouring residential properties is considered to be acceptable in principle.

6.5 Residential Standards

6.5.1 The private rear gardens to serve the dwellings are 11m in depth and therefore comply with the Residential Design Guide. As discussed in paragraph 6.3.2 above, it is considered that the building to plot relationship proposed would be acceptable and that the site would not appear over-development within the street scene or when viewed from neighbouring properties.

6.5.2 There is an area of defensible space to the Kentish Road frontage and a condition is suggested to secure a front boundary wall and soft landscaping to protect the privacy of the occupants. Secure cycle storage would be provided within the rear garden areas and this can be directly accessed from the

dwelling or via the driveway and cycles could be moved with ease to the public highway via the side accessway. Refuse storage would also be provided to the rear of the site and would not be readily visible from the street.

6.6 Highways and Parking

- 6.6.1 As set out in section 5.4 the level of parking 1: 1 complies with the policy requirements at the time of submitting the application. Although the adopted standards have changed as the site lies in an area of high accessibility the number of spaces provided is deemed acceptable. Local Plan policy SDP5 confirms that car parking is a key determinant in the choice of the mode of travel and therefore the provision of two off-road car parking spaces would comply with current planning guidance in the form of PPG13: 'Transport', PPS1 'Delivering Sustainable Development' and PPS3 'Housing', which emphasises the need to reduce car dependence.
- 6.6.2 The policies within the Core Strategy and the Local Plan seek to promote more sustainable forms of transport to the private car and the availability of car parking is highlighted as a key determinant of the mode of travel. As such the provision of two car parking spaces is fully in accordance with the policy aims and intentions for sustainable patterns of development within accessible locations. Prospective residents of the development will be aware that the development has only one space and as the average household in Southampton only has an average of 1.0 car this proposal is acceptable (Source - Parking Standards Supplementary Planning Guidance). The site is within walking distance of shops and services within Shirley Town Centre and highly accessible by public transport and as such there is no reason to believe that the proposal will exacerbate on street parking pressures.
- 6.6.3 The provision of secure and convenient cycle storage would promote cycling as an alternative to the private car. The level of car parking proposed to serve the development is therefore considered to be acceptable.

6.7 Sustainability

- 6.7.1 The application is accompanied by a Code for Sustainable Home pre-assessment report and a Sustainability Checklist. The submitted documentation demonstrates that the development can achieve Level 3 of the Code for Sustainable Homes and through low energy technologies achieve a reduction of between 21% and 24% in Carbon Dioxide emissions over standard building regulations requirements. This is compliant with policy CS20 of the Core Strategy and a condition is suggested to secure these measures.
- 6.7.2 The driveways proposed would be brick paving in design to reduce surface run off and aid sustainably drainage.

7. Summary

- 7.1 The proposed development would make good use of the site to provide residential accommodation in this accessible location. The proposed design approach would create a visual improvement at the rear of the site. Overall, the fact the scheme does meet the suggested amenity standards indicates the proposal is not an overdevelopment of the site.

8. Conclusion

- 8.1 Subject to the imposition of the suggested conditions attached to this report, the proposal would be acceptable. The application is therefore recommended for approval.

Local Government (Access to Information) Act 1985 **Documents used in the preparation of this report Background Papers**

1 (a) (b) (c) (d) 2 (b) (c) (d) 4 (f) 6 (c) 7 (a) (b) (e) (k) 9 (a), 10(a) and 10 (b)

ARL for 25/10/2011 PROW Panel

PLANNING CONDITIONS

01. APPROVAL CONDITION - Full Permission Timing Condition - Physical works

The development works hereby permitted shall begin not later than three years from the date on which this planning permission was granted.

Reason:

To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

02. APPROVAL CONDITION - Details of building materials to be used [Pre-Commencement Condition]

Notwithstanding the information shown on the approved drawings and application form no development works shall be carried out unless and until a written schedule of external materials and finishes has been submitted to and approved in writing by the Local Planning Authority. Development shall be implemented only in accordance with the agreed details. These shall include full details of the manufacturers, types and colours of the external materials to be used for external walls, windows, doors and the roof of the proposed buildings. It is the Local Planning Authority's practice to review all such materials on site. The developer should have regard to the context of the site in terms of surrounding building materials and should be able to demonstrate why such materials have been chosen and why alternatives were discounted. If necessary this should include presenting alternatives on site.

Reason:

To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality.

03. APPROVAL CONDITION Boundary Treatment [performance condition]

Prior to the development first coming into occupation the boundary treatment shall be fully implemented in accordance with the drawing no P25 received 07.09.2011 hereby approved and thereafter retained as approved unless agreed otherwise in writing by the Local Planning Authority.

REASON

To secure a satisfactory form of development

04. APPROVAL CONDITION - Landscaping Implementation [Performance condition]

The hard and soft landscaping works shall be carried out in accordance with the drawing no P26 received 06.10.2011 hereby approved . The works shall be carried out before any

of the development is occupied unless agreed otherwise in writing by the local Planning Authority.

REASON:

To ensure that the works are carried out as approved in the interests of the visual amenities of the area.

05. APPROVAL CONDITION - Landscaping Replacement [performance condition]

If within a period of five years from the date of the planting of any tree or shrub, or any tree or shrub planted in replacement of it, it is removed, uprooted, destroyed, dies or becomes in any other way defective in the opinion of the local planning authority, another tree or shrub of the same species and size of that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

REASON:

To ensure that any trees or shrubs planted as part of the landscaping scheme are replaced in accordance with that scheme.

06. APPROVAL CONDITION - Refuse and Cycle Storage [performance condition]

Bin and cycle storage shall be laid out with a level approach prior to the first occupation of the development hereby approved in accordance with drawing P26 received 06.10.2011 and drawing no P05 received 21.07.2011. The approved storage shall be retained whilst the development is used for residential purposes, with bins kept in their allotted stores on non collection days.

REASON:

In the interests of highway safety and visual amenity and to encourage recycling.

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

Written documentary evidence demonstrating that the development will achieve at minimum Level 3 of the Code for Sustainable Homes, including at least an average of 1 credit in category Ene1, shall be submitted to the Local Planning Authority and verified in writing prior to the first occupation of the development hereby granted, unless an otherwise agreed timeframe is agreed in writing by the LPA. The evidence shall take the form of a post construction assessment and certificate as issued by a legitimate Code For Sustainable Homes certification body.

REASON:

To ensure the development minimises its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

08. 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.

09. APPROVAL CONDITION - Public Sewer protection [Performance Condition]

The developer must advise the Local Planning Authority (in consultation with Southern Water) of the measures which will be undertaken to protect the public sewers, prior to the commencement of the development.

Reason:

In order to safeguard the public sewer.

10. 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 development hereby permitted without the prior written consent of the Local Planning Authority.

Reason:

To protect the amenities of the adjoining residential properties.

11. APPROVAL CONDITION - Residential - Permitted Development Restriction [Performance Condition]

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), or any Order amending, revoking or re-enacting that Order, no building or structures within Schedule 2, Part 1, Classes as listed below shall be erected or carried out to any dwelling house hereby permitted without the prior written consent of the Local Planning Authority:

Class A (enlargement of a dwelling house), including a garage or extensions,

Class B (roof alteration),

Class C (other alteration to the roof),

Class D (porch),

Class E (curtilage structures), including a garage, shed, greenhouse, etc.,

Class F (hard surface area)

Reason:

In order that the Local Planning Authority may exercise further control in this locality given the small private garden and amenity areas provided as part of this development in the interests of the comprehensive development and visual amenities of the area.

Notes to Applicant

1. 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. It is important that you note that if development commences in without the condition having been formally discharged by the Council in writing, any development taking place will be unauthorised in planning terms, invalidating 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 Control Service.

2. 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
CS6	Housing Density
CS13	Fundamentals of Design
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS21	Protecting and Enhancing Open Space
CS22	Promoting Biodiversity and Protecting Habitats

City of Southampton Local Plan Review – (March 2006)

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP7	Urban Design Context
SDP9	Scale, Massing & Appearance
SDP12	Landscape & Biodiversity
SDP13	Resource Conservation
SDP14	Renewable Energy
NE4	Protected Species
H1	Housing Supply
H2	Previously Developed Land
H5	Conversion to residential Use
H7	The Residential Environment

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)

Parking Standards Supplementary Planning Document (SPD) (Approved - September 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)

Planning Policy Statement: Eco-towns - Supplement to Planning Policy Statement 1 (July 2009)

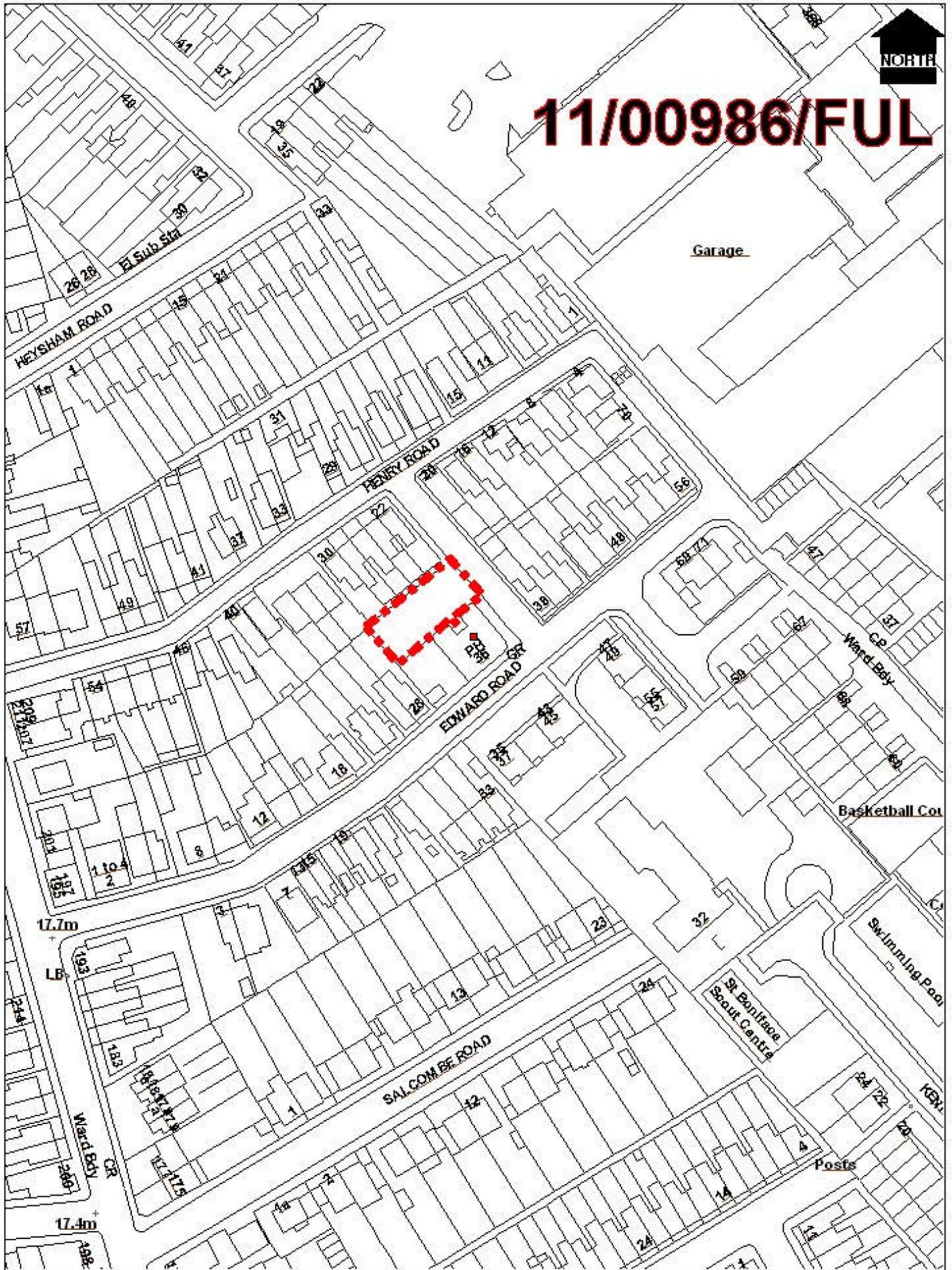
PPS3 Housing (November 2006)

PPG13 Transport (April 2001)

PPS22 Renewable Energy (August 2004)



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Scale : 1:1250

Date :12 October 2011

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